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Logon

12SL-CC03771 - JAMES ARMBRUSTER ETAL V VERITAS ENTERTAINMENT
ETAL

Case Header	Parties & Attorneys	Docket Entries	Charges, Judgments & Sentences	Service Information	Filings Due	Scheduled Hearings & Trials	Civil Judgments	Garnishments/ Execution
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Sort Date Entries: ☐ Descending
Ascending

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- 01/13/2014** **Motion for Extension of Time**
CONSENT MOTION FOR EXTENSION OF TIME GRANTED AND FILED SO ORDERED: JUDGE BARBARA W. WALLACE
- 12/23/2013** **Correspondence Filed**
TO MR. EISENBERG.
- 12/17/2013** **Request Filed**
DEFENDANTS VERITAS ENTERTAINMENT, LLC AND VERITAS MARKETING GROUP, LLC'S UNOPPOSED REQUEST FOR ADDITIONAL TIME GRANTED AND FILED SO ORDERED: JUDGE BARBARA W. WALLACE
- 12/12/2013** **Order**
PLAINTIFF'S MOTION FOR EXTENSION OF TIME TO SERVE NEW DEFENDANTS IS GRANTED. CASE MANAGEMENT SET ON FEB 5, 2014 AT 8:45AM SO ORDERED: JUDGE BARBARA W. WALLACE
Case Mgmt Conf Scheduled
Scheduled For: 02/05/2014; 8:45 AM ; BARBARA W WALLACE; St Louis County
Hearing Continued/Rescheduled
Hearing Continued From: 12/12/2013; 8:30 AM Case Management Conference
Motion for Extension of Time
PLAINTIFF'S MOTION FOR EXTENSION OF TIME TO SERVE NEW DEFENDANTS
- 12/09/2013** **Summ Issd- Circ Pers Serv O/S**
Document ID: 13-SMOS-1321, for HUCKABEE, MICHAEL DALE. HELD FOR PICK UP
Summ Issd- Circ Pers Serv O/S
Document ID: 13-SMOS-1320, for BREWER, BOB. HELD FOR PICK UP
Summ Issd- Circ Pers Serv O/S
Document ID: 13-SMOS-1319, for SIXDI INC. HELD FOR PICK UP
Summ Issd- Circ Pers Serv O/S
Document ID: 13-SMOS-1318, for LEININGER, JAMES R. HELD FOR PICK UP
Summ Issd- Circ Pers Serv O/S
Document ID: 13-SMOS-1317, for COURAGE 2012 LLC. HELD FOR PICK UP
Summ Issd- Circ Pers Serv O/S
Document ID: 13-SMOS-1316, for MISSION CITY MANAGEMENT INC. HELD FOR PICK UP
Summ Issd- Circ Pers Serv O/S
Document ID: 13-SMOS-1315, for GRIFFIN, STEPHEN WAYNE. HELD FOR PICK UP
Summ Issd- Circ Pers Serv O/S
Document ID: 13-SMOS-1314, for JOSEPH, GABRIEL S. HELD FOR PICK UP
Summ Issd- Circ Pers Serv O/S
Document ID: 13-SMOS-1313, for AIC COMMUNICATIONS LLC. HELD FOR PICK UP
Summ Issd- Circ Pers Serv O/S

Document ID: 13-SMOS-1312, for FREEEATS.COM INC. HELD FOR PICK UP


- 12/04/2013** **Amended Motion/Petition Filed**
Motion Filed
FOR CLASS CERTIFICATION AS TO FIRST AMENDED PETITION (PLAINTIFFS' FIRST)
- 11/20/2013** **Order**
PLAINTIFF'S GRANTED LEAVE TO FILE AN AMENDED PETITION ON OR BEFORE DEC 4, 2013 SO ORDERED: JUDGE BARBARA W. WALLACE
Case Mgmt Conf Scheduled
Associated Entries:12/12/2013 - Hearing Continued/Rescheduled
Scheduled For: 12/12/2013; 8:30 AM ; BARBARA W WALLACE; St Louis County
Hearing Continued/Rescheduled
Hearing Continued From: 11/20/2013; 9:00 AM Counsel Status Hearing
- 10/18/2013** **Order**
CAUSE SET FOR STATUS CONFERENCE ON NOV 20, 2013 AT 9:00AM (INSTEAD OF CLASS CERTIFICATION HEARING) Copy mailed to Attorney's of Record SO ORDERED: JUDGE BARBARA W. WALLACE
Motion Filed
JT. MOTION FOR EXTENSION OF TIME AND POSTPONEMENT OF NOV 20 CLASS CERTIFICATION HEARING
Counsel Status Hrng Scheduled
Associated Entries:11/20/2013 - Hearing Continued/Rescheduled
Scheduled For: 11/20/2013; 9:00 AM ; BARBARA W WALLACE; St Louis County
Hearing Continued/Rescheduled
Hearing Continued From: 11/20/2013; 11:00 AM Hearing
- 10/15/2013** **Motion Granted/Sustained**
SO ORDERED: JUDGE BARBARA W. WALLACE
Associated Entries:10/11/2013 - Motion for Extension of Time
- 10/11/2013** **Motion for Extension of Time**
Filed By: RON GOLAN
Associated Entries:10/15/2013 - Motion Granted/Sustained ±
- 10/02/2013** **Hearing Scheduled**
RE-SCHEDULED FROM 8:30AM TO 11:00AM ON NOV 20, 2013 - CLASS CERTIFICATION HEARING
Associated Entries:10/18/2013 - Hearing Continued/Rescheduled
Scheduled For: 11/20/2013; 11:00 AM ; BARBARA W WALLACE; St Louis County
Hearing Continued/Rescheduled
Hearing Continued From: 11/20/2013; 8:30 AM Case Management Conference
Order
PLAINTIFFS' MOTION TO COMPEL IS GRANTED IN PART AND DENIED WITHOUT PREJUDICE IN PART. 1) DEFENDANTS ARE ORDERED TO PRODUCE NON-CLASS TELEPHONE NUMBER DOCUMENTS THAT DEFENDANTS PREVIOUSLY PRODUCED WITHOUT REDACTIONS. IF DEFENDANTS HAVE SOME NOT PREVIOUSLY ADDRESSED CONCERN REGARDING A REDACTION, THEN DEFENDANTS MAY BRING THAT ISSUE BEFORE THE COURT. 2) THE MOTION FOR PRODUCTION OF CLASS TELEPHONE NUMBERS IS DENIED AT THIS TIME AND MAY BE RENEWED AFTER CLASS CERTIFICATION. 3) DEFENDANTS SHALL PRODUCE THE NON-REDACTED DOCUMENTS OR RAISE AN ISSUE BEFORE THE COURT WITHIN 3 WEEKS. CLASS CERTIFICATION HEARING SET FOR NOVEMBER 20 AT 11:00AM SO ORDERED: JUDGE BARBARA W. WALLACE
Associated Entries:09/18/2013 - Motion Hearing Scheduled
Scheduled For: 10/02/2013; 8:30 AM ; BARBARA W WALLACE; St Louis County
- 10/01/2013** **Reply**

PLAINTIFF'S REPLY IN FURTHER SUPPORT OF MOTION TO COMPEL DEFENDANTS AND DEPONENT REGARDING DISCOVERY

09/30/2013 **Suggestions in Opposition**
DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTION TO COMPEL

09/26/2013 **Motion to Compel**
PLAINTIFFS' MOTION TO COMPEL DEFENDANTS AND DEPONENT REGARDING DISCOVERY
 Filed By: RON GOLAN
Motion Filed
PLAINTIFFS' MOTION TO REMOVE CONFIDENTIAL DESIGNATION AS TO DISCOVERY DOCUMENTS AND TO SHORTEN TIME
 Filed By: RON GOLAN

09/20/2013 **Motion Filed**
PLAINTIFFS' MOTION FOR CLASS CERTIFICATION

09/18/2013 **Certificate of Service**
Motion Hearing Scheduled
 Associated Entries:10/02/2013 - Order 
 Scheduled For: 10/02/2013; 8:30 AM ; BARBARA W WALLACE; St Louis County
Order
PLAINTIFF'S SHALL FILE AN AMENDED PETITION AND ADD ANY ADDITIONAL PARTIES BY OCT 11, 2013. SO ORDERED: JUDGE BARBARA W. WALLACE
Case Mgmt Conf Scheduled
 Associated Entries:10/02/2013 - Hearing Continued/Rescheduled
 Scheduled For: 11/20/2013; 8:30 AM ; BARBARA W WALLACE; St Louis County
Hearing Continued/Rescheduled
 Hearing Continued From: 09/18/2013; 8:45 AM Case Management Conference

09/16/2013 **Order of Dismissal**
PLAINTIFF, JAMES ARMBRUSTER DISMISSES WITHOUT PREJUDICE HIS CASE AGAINST DEFENDANTS, WITH ALL PARTIES TO BEAR THEIR OWN COSTS AND ATTORNEY'S FEES. SO ORDERED: JUDGE BARBARA W. WALLACE
 Filed By: JAMES ARMBRUSTER

09/04/2013 **Notice to Take Deposition**
OF DEFENDANTS

08/21/2013 **Notice to Take Deposition**
AMENDED

08/20/2013 **Certificate of Service**
AS TO DISCOVERY REQUESTS

08/13/2013 **Notice**
(2) AMENDED NOTICE TO TAKE DEPOSITION
 Filed By: CICELY IRENE LUBBEN

08/08/2013 **Notice to Take Deposition**
JAMES ARMBRUSTER
Notice to Take Deposition
CATHY ARMBRUSTER
Notice to Take Deposition
DORIT GOLAN
Notice to Take Deposition
RON GOLAN

07/23/2013 **Case Mgmt Conf Scheduled**
Associated Entries:09/18/2013 - Hearing Continued/Rescheduled
Scheduled For: 09/18/2013; 8:45 AM ; BARBARA W WALLACE; St Louis County
Hearing Continued/Rescheduled
Hearing Continued From: 08/07/2013; 8:30 AM Case Management Conference
Notice of Hearing Filed

07/22/2013 **Certificate of Service**
PLT CERTIFICATE OF SERVICE.

06/28/2013 **Certificate of Service**
AS TO DISCOVERY REQUESTS

06/13/2013 **Certificate of Service**

06/11/2013 **Certificate of Service**

05/31/2013 **Notice**
NOTICE OF CANCELLATION OF DEPOSITION

05/20/2013 **Subpoena Served**
ON JAMES RAM

05/16/2013 **Certificate of Service**
Notice to Take Deposition

05/09/2013 **Certificate of Service**

05/06/2013 **Certificate of Service**

05/01/2013 **Case Mgmt Conf Scheduled**
Associated Entries:07/23/2013 - Hearing Continued/Rescheduled
Scheduled For: 08/07/2013; 8:30 AM ; BARBARA W WALLACE; St Louis County
Hearing Continued/Rescheduled
Hearing Continued From: 05/01/2013; 8:45 AM Case Management Conference

04/30/2013 **Certificate of Service**

03/26/2013 **Certificate of Service**
Filed By: RONALD JAY EISENBERG
Certificate of Service
Filed By: RONALD JAY EISENBERG

03/15/2013 **Notice of Hearing Filed**

03/13/2013 **Certificate of Service**

02/28/2013 **Case Mgmt Conf Scheduled**
Associated Entries:05/01/2013 - Hearing Continued/Rescheduled
Scheduled For: 05/01/2013; 8:45 AM ; BARBARA W WALLACE; St Louis County
Hearing Continued/Rescheduled
BY CONSENT PER D'S ATTY
Hearing Continued From: 03/20/2013; 8:30 AM Case Management Conference

02/25/2013 **Correspondence Sent**

Copy of Notices Filed and Mailed This Day to the Parties of Record.

Case Mgmt Conf Scheduled

Associated Entries:02/28/2013 - Hearing Continued/Rescheduled ±

Scheduled For: 03/20/2013; 8:30 AM ; BARBARA W WALLACE; St Louis County

02/20/2013 Motion to Strike
PLTFS' TO AFFIRMATIVE DEFENSES OF DEFT. VERITAS ENTERTAINMENT
Motion to Strike
PLTFS' TO AFFIRMATIVE DEFENSES TO DEFT. VIRITAS
Motion to Strike
PLTFS' TO AFFIRMATIVE DEFENSES OF DEFT. MARKETING GROUP

02/14/2013 Certificate of Service
2 FILED

02/04/2013 Certificate of Service
AMENDED - AS TO DISCOVERY

02/01/2013 Answer Filed
TO PLAINTIFFS' CLASS ACTION PETITION
Filed By: VERITAS ENTERTAINMENT LLC
Answer Filed
TO PLAINTIFFS' CLASS ACTION PETITION
Filed By: VERITAS MARKETING GROUP LLC
Certificate of Service

01/23/2013 Entry of Appearance Filed
PRO HAC VICE OF MOLLY T CUSSON FOR DEFTS VERITAS ENTERTAINMENT LLC AND VERITAS MARKETING GROUP LLC GRANTED. SO ORDERED: JUDGE BARBARA W. WALLACE
Request Filed
UNOPPOSED REQUEST FOR ADDL TIME GRANTED AND FILED SO ORDERED: JUDGE BARBARA W. WALLACE

01/22/2013 Entry of Appearance Filed
ENTRY OF APPEARANCE, PRO HAC VICE, GRANTED FOR ARI N ROTHMAN AND RONALD M JACOBS FOR DEFTS VERITAS ENTERTAINMENT, LLC AND VERITAS MARKETING GROUP LLC SO ORDERED: JUDGE BARBARA W. WALLACE

01/08/2013 Request Filed
UNOPPOSED REQUEST FOR ADDITIONAL TIME SO ORDERED: JUDGE BARBARA W. WALLACE/8 JAN 2013
Filed By: VERITAS ENTERTAINMENT LLC
Entry of Appearance Filed
Filed By: CICELY IRENE LUBBEN

01/07/2013 Certificate of Service
Filed By: JAMES ARMBRUSTER

12/05/2012 Agent Served
Document ID - 12-SMOS-1222; Served To - VERITAS MARKETING GROUP LLC; Server - ; Served Date - 19-NOV-12; Served Time - 00:00:00; Service Type - Sheriff Department; Reason Description - Served; Service Text - DANIELLE JOHN FOR STEVE GRIFFIN
Agent Served
Document ID - 12-SMOS-1221; Served To - VERITAS ENTERTAINMENT LLC; Server - ; Served Date - 19-NOV-12; Served Time - 00:00:00; Service Type - Sheriff Department; Reason Description - Served; Service Text - DANIELLE JOHN FOR STEVE GRIFFIN

11/02/2012 Motion for Extension of Time
GRANTED AND FILED SO ORDERED: JUDGE BARBARA W. WALLACE
Filed By: RONALD JAY EISENBERG

10/12/2012 Summ Issd- Circ Pers Serv O/S
Document ID: 12-SMOS-1222, for VERITAS MARKETING GROUP LLC. HANDED TO ATTORNEY
Summ Issd- Circ Pers Serv O/S
Document ID: 12-SMOS-1221, for VERITAS ENTERTAINMENT LLC. HANDED TO ATTORNEY

10/03/2012 Confid Filing Info Sheet Filed
Pet Filed in Circuit Ct
Judge Assigned
DIV 13

P/LEAVE

IN THE MISSOURI CIRCUIT COURT
FOR THE TWENTY-SECOND JUDICIAL CIRCUIT
ST. LOUIS COUNTY

RON GOLAN and DORIT GOLAN, individually
and on behalf of all others similarly situated,

Plaintiffs,

v.

VERITAS ENTERTAINMENT, LLC, *et al.*,

Defendants.

Case No. 12SL-000771

Division 13

FILED
JAN 13 2014
CIRCUIT CLERK, ST. LOUIS COUNTY

JENNIFER M. GILBERT
CIRCUIT CLERK, ST. LOUIS COUNTY

CONSENT MOTION FOR EXTENSION OF TIME

Defendants Veritas Entertainment, LLC; Veritas Marketing Group, LLC; Stephen Wayne Griffin; and Mission City Management, Inc., having obtained consent from plaintiffs Ron and Dorit Golan, request that the Court enter an order allowing them to respond to plaintiffs' Amended Class Action Petition on or before January 31, 2014. Good cause exists to grant the requested extension for the following reasons:

1. Plaintiffs served the Amended Petition on Mission City Management on about December 16, 2013, thus making Mission City's Management's response due on about January 15, 2014. Mission City Management thereafter recently retained Venable LLP to represent it in this case, and the holidays followed. Thus, Mission City requests a brief extension of approximately two weeks, to January 31, 2014, to afford it sufficient time to confer with its counsel and prepare a response to the Amended Petition.

2. Under the current schedule, Veritas Entertainment's and Veritas Marketing's responses to the Amended Petition must be filed in this Court on January 6, 2014. However, Mission City Management intends to remove this action to federal court. By statute, Mission City Management must remove this action no later than 30 days from the date it was served with

8/11
1/2/14

IN THE MISSOURI CIRCUIT COURT
FOR THE TWENTY-SECOND JUDICIAL CIRCUIT
ST. LOUIS COUNTY

RON GOLAN and DORIT GOLAN, individually
and on behalf of all others similarly situated,

Plaintiffs,

v.

VERITAS ENTERTAINMENT, LLC, *et al.*,

Defendants.

Case No. 12SL-CC03771

Division 13

CONSENT MOTION FOR EXTENSION OF TIME

Defendants Veritas Entertainment, LLC; Veritas Marketing Group, LLC; Stephen Wayne Griffin; and Mission City Management, Inc., having obtained consent from plaintiffs Ron and Dorit Golan, request that the Court enter an order allowing them to respond to plaintiffs' Amended Class Action Petition on or before January 31, 2014. Good cause exists to grant the requested extension for the following reasons:

1. Plaintiffs served the Amended Petition on Mission City Management on about December 16, 2013, thus making Mission City's Management's response due on about January 15, 2014. Mission City Management thereafter recently retained Venable LLP to represent it in this case, and the holidays followed. Thus, Mission City requests a brief extension of approximately two weeks, to January 31, 2014, to afford it sufficient time to confer with its counsel and prepare a response to the Amended Petition.

2. Under the current schedule, Veritas Entertainment's and Veritas Marketing's responses to the Amended Petition must be filed in this Court on January 6, 2014. However, Mission City Management intends to remove this action to federal court. By statute, Mission City Management must remove this action no later than 30 days from the date it was served with

the Amended Petition, here January 15, 2014. *See* 28 U.S.C. 1446(b)(1). Therefore, if the Court extends the deadline for Veritas Entertainment, Veritas Marketing, Griffin, and Mission City Management to answer or otherwise respond to the Amended Petition until January 31, 2014, then all of these defendants will be required to file their answers or other responses in the federal court to which this action is removed, thereby providing the new judge a consistent set of pleadings under the federal rules of civil procedure. This, in turn, will conserve judicial resources and promote judicial economy.

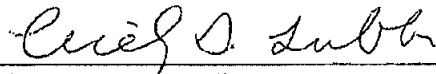
3. Moving defendants are not bringing this motion to cause delay or for any improper purpose, and no party will suffer any prejudice if the Court grants the requested extension. This is especially true given that it appears that plaintiffs have not served all of the defendants set forth in their Amended Petition, and thus the case will not be at issue until after January 31 when all of the defendants have been served.

For the foregoing reasons, defendants Veritas Entertainment, Veritas Marketing, Griffin, and Mission City Management request that the Court enter an order allowing them to respond to plaintiffs' Amended Petition, on or before January 31, 2014.

* * *

Dated: January 7, 2014

Respectfully submitted,



Cicely I. Lubben, #53897
STINSON LEONARD STREET LLP
7700 Forsyth Boulevard, Suite 1100
St. Louis, MO 63105
Telephone: (314) 863-0800
Facsimile: (314) 863-9388
E-mail: cicely.lubben@stinsonleonard.com

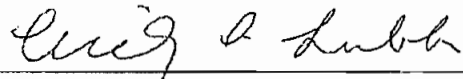
Ari N. Rothman, *pro hac vice*
Ronald M. Jacobs, *pro hac vice*
Molly T. Cusson, *pro hac vice*
VENABLE LLP
575 7th Street, NW
Washington, DC 20004-1601
anrothman@venable.com
rmjacobs@venable.com
mtcusson@venable.com
(202) 344-4000 (phone)
(202) 344-8300 (fax)

*Counsel for Defendants Veritas
Entertainment, LLC; Veritas Marketing
Group, LLC; Stephen Wayne Griffin; and,
Mission City Management, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of January, 2014, I caused the foregoing *Consent Motion for Extension of Time* to be served via facsimile transmittal upon the following counsel of record:

Ronald J. Eisenberg
Robert Schultz
640 Cepi Drive, Suite A
Chesterfield, MO 63005-1221
(636) 537-4645
Fax: (636) 537-2599
reisenberg@sl-lawyers.com
rschultz@sl-lawyers.com
Counsel for Plaintiffs



Cicely I. Lubben #53897
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Facsimile: (314) 863-9388
E-mail: cicely.lubben@stinsonleonard.com

*Counsel for Defendants Veritas
Entertainment, LLC; Veritas Marketing
Group, LLC; Stephen Wayne Griffin; and,
Mission City Management, Inc.*

IN THE MISSOURI CIRCUIT COURT
FOR THE TWENTY-SECOND JUDICIAL CIRCUIT
ST. LOUIS COUNTY

RON GOLAN and DORIT GOLAN, individually
and on behalf of all others similarly situated,

Plaintiffs,

v.

VERITAS ENTERTAINMENT, LLC, *et al.*,

Defendants.

Case No. 12SL-CC03771

Division 13

FILED
JAN 15 2014
JOAN M. GILMER
CIRCUIT CLERK ST. LOUIS COUNTY

NOTICE OF FIRM NAME CHANGE

Counsel associated with Stinson Morrison Hecker LLP who has appeared in this matter for Defendants Veritas Entertainment, LLC; Veritas Marketing Group, LLC; Stephen Wayne Griffin; and Mission City Management, Inc. hereby provides notice that effective January 1, 2014, as a result of a combination of the lawyers of Stinson Morrison Hecker LLP and Leonard, Street and Deinard, Professional Association, the firm with which she is associated is now named Stinson Leonard Street LLP. Counsel will have the same postal address, telephone and facsimile numbers. Counsel's new email address is: cicely.lubben@stinsonleonard.com.

Dated: January 7, 2014

Respectfully submitted,

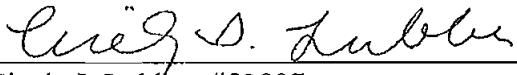
STINSON LEONARD STREET LLP

By: *Cicely I. Lubben*
Cicely I. Lubben, #53897
7700 Forsyth Boulevard, Suite 1100
St. Louis, Missouri 63105
Telephone: (314) 863-0800
Facsimile: (314) 863-9388
E-mail: cicely.lubben@stinsonleonard.com
Counsel for Defendants Veritas Entertainment, LLC; Veritas Marketing Group, LLC; Stephen Wayne Griffin; and Mission City Management, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of January, 2014, I caused the foregoing *Notice of Firm Name Change* to be served via facsimile transmittal upon the following counsel of record:

Ronald J. Eisenberg
Robert Schultz
640 Cepi Drive, Suite A
Chesterfield, MO 63005-1221
(636) 537-4645
Fax: (636) 537-2599
reisenberg@sl-lawyers.com
rschultz@sl-lawyers.com
Counsel for Plaintiffs


Cicely I. Lubben #53897
STINSON LEONARD STREET LLP
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Facsimile: (314) 863-9388
E-mail: cicely.lubben@stinsonleonard.com

*Counsel for Defendants Veritas
Entertainment, LLC; Veritas Marketing
Group, LLC; Stephen Wayne Griffin; and
Mission City Management, Inc.*



Wolters Kluwer
Corporate Legal Services

C. Corporation

X

2013 12 19 11:54

December 19, 2013

Ronald Jay Eisenberg
Schultz & Associates LLP
640 Cepi Drive Suite A,
Chesterfield, MO 63005-1221

Re: Ron Golan and Dorit Golan, Pltfs. vs. Veritas Entertainment, LLC, et
al. including AIC Communications, LLC, etc., Dfts.

Case No. 12SLCC03771

Dear Mr. Eisenberg:

After checking our records and the records of the State of DE, it has been
determined that The Corporation Trust Company is not the registered
agent for an entity by the name of AIC Communications, LLC.

Accordingly, we are returning the documents received from you.

Very truly yours,

The Corporation Trust Company

Log# 524083336

Sent By Regular Mail

cc: 21st Judicial Circuit Court, St. Louis County
7900 Carondelet Ave,
Clayton, MO 63105

(Returned To)

Ronald Jay Eisenberg
Schultz & Associates LLP
640 Cepi Drive Suite A,
Chesterfield, MO 63005-1221

BY LLAVE

IN THE CIRCUIT COURT OF THE COUNTY OF ST. LOUIS
STATE OF MISSOURI

RON GOLAN, et al.,

Plaintiffs,

vs.

VERITAS ENTERTAINMENT, LLC and
VERITAS MARKETING GROUP, LLC,

Defendants.

Cause No.: 128L CC0377A

Division: 13

FILED
DEC 1 1 02 PM
JANUARY 13 2014
CIRCUIT CLERK ST. LOUIS COUNTY

UNOPPOSED REQUEST FOR ADDITIONAL TIME

COME NOW Defendants Veritas Entertainment, LLC and Veritas Marketing Group, LLC, and respectfully request additional time, up to and including January 6, 2014, within which to answer or otherwise respond to Plaintiff's Amended Class Action Petition. Counsel for Plaintiffs has consented to this request.

STINSON MORRISON HECKER LLP

By: Cicely I. Lubben

Cicely I. Lubben #53897
7700 Forsyth Boulevard, Suite 1100
St. Louis, MO 63105
Telephone: (314) 863-0800
Facsimile: (314) 863-9388
clubben@stinson.com

So Ordered:
Amc
12/17/13

and

VENABLE LLP

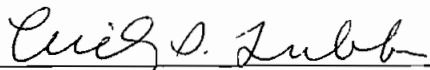
Ronald M. Jacobs, *pro hac vice*
Ari N. Rothman, *pro hac vice*
Molly T. Cusson, *pro hac vice*
575 7th Street, NW
Washington, DC 20004
Telephone: (202) 344-4000
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rmjacobs@venable.com
anrothman@venable.com
mtcusson@venable.com

*Attorneys for Defendants Veritas Entertainment,
LLC and Veritas Marketing Group, LLC*

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing document was forwarded to the following attorney of record this 11th day of December, 2013, by U.S. Mail with proper first-class postage affixed thereon:

Mr. Ronald J. Eisenberg
Mr. Robert Schultz
640 Cepi Drive, Suite A
Chesterfield, MO 63005-1221
(636) 537-4645 – Telephone
(636) 537-2599 – Facsimile
reisenberg@sl-lawyers.com
rschultz@sl-lawyers.com
Attorneys for Plaintiffs



*Attorneys for Defendants Veritas Entertainment,
LLC and Veritas Marketing Group, LLC*

In the
CIRCUIT COURT
of St. Louis County, Missouri



For File Stamp Only

Golan
Plaintiff(s)
vs.
Veritas Entertainment
Defendant(s) LHC et al

December 12, 2013
Date
125L-CC03771
Case Number
13
Division

Order

1. Plaintiffs' motion For extension of time to serve new Defendants is granted.
2. Case set For case management conference For 8:45 a.m. on February 5, 2014.

SO ORDERED

Bombardier
Judge
ENTERED: 12/12/13
(Date)

Robert J. Alt #3532
Attorney Bar No.

Address

Phone No.

Fax No.

Attorney

Bar No.

Address

Phone No.

Fax No.

**IN THE MISSOURI CIRCUIT COURT
FOR THE TWENTY-FIRST JUDICIAL CIRCUIT
ST. LOUIS COUNTY**

**RON GOLAN and DORIT
GOLAN,**

Plaintiffs,

V.

**VERITAS ENTERTAINMENT,
LLC, et al.,**

Defendants.

Case No. 12SL-CC03771

Division: 13

**PLAINTIFFS' MOTION FOR EXTENSION TO TIME TO SERVE NEW
DEFENDANTS**

Plaintiffs Ron and Dorit, pursuant to Missouri Supreme Court Rule 54.21, requests that the deadline for service of the summonses and petitions on the newly added Defendants be extended to 90 days from issuance of the summonses on December 9, 2013, in order to allow sufficient time to obtain service.

On December 10 and 11, 2013, Plaintiffs mailed Civil Procedure Form 4B Notices in accordance with Missouri Rule of Civil Procedure 54.16, requesting the newly added Defendants voluntarily acknowledge service by mail. Rule 54.16 grants the recipients 30 days to complete and return the Form 4B notice.

All of the new Defendants reside outside of Missouri and Plaintiffs will work diligently to get them served or to receive service waivers.

SO ORDERED THIS DAY OF DECEMBER, 2013:

Barbara W. Wallace, Circuit Judge

SCHULTZ & ASSOCIATES LLP

By: Ronald J. Eisenberg
Ronald J. Eisenberg #48674
Robert Schultz, #35329
640 Cepi Drive, Suite A
Chesterfield, MO 63005-1221
(636) 537-4645
Fax: (636) 537-2599
reisenberg@sl-lawyers.com
rschultz@sl-lawyers.com

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the above and foregoing was served this 11th day of December, 2013, by facsimile and email to the following:

Ari N. Rothman
Ronald M. Jacobs
Molly T. Cusson
VENABLE LLP
575 7th Street, NW
Washington, DC 20004
(202) 344-4000
Fax: (202) 344-8300
ANRothman@venable.com
RMJacobs@Venable.com
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Attorney for Defendants

Ronald J. Eisenberg
Ronald J. Eisenberg #48674



IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: BARBARA W WALLACE	Case Number: 12SL-CC03771
Plaintiff/Petitioner: RON GOLAN	Plaintiff's/Petitioner's Attorney/Address: RONALD JAY EISENBERG 640 CEPI DRIVE SUITE A CHESTERFIELD, MO 63005
Defendant/Respondent: VERITAS ENTERTAINMENT LLC	Court Address: ST LOUIS COUNTY COURT BUILDING 7900 CARONDELET AVE CLAYTON, MO 63105
Nature of Suit: CC Other Miscellaneous Actions	(Date File Stamp)

Summons for Personal Service Outside the State of Missouri (Except Attachment Action)

The State of Missouri to: **FREEEATS.COM INC**
 Alias:
DBA: CCADVERTISING

SERVE: REG AGENT
 THE CORPORATION TRUST COMPANY
 1209 N ORANGE ST
 WILMINGTON, DE 19801

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the Plaintiff/Petitioner at the above address all within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action.

09-DEC-2013

Date

Further Information:

TLC

Joan F. Delaney
 Clerk

Officer's or Server's Affidavit of Service

I certify that:

- I am authorized to serve process in civil actions within the state or territory where the above summons was served.
- My official title is _____ of _____ County, _____ (state).
- I have served the above summons by: (check one)
 - ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
 - ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____, a person of the Defendant's/Respondent's family over the age of 15 years.
 - ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).
 - ☐ other (describe) _____

Served at _____ (address)
 in _____ County, _____ (state), on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Subscribed and Sworn To me before this _____ (day) _____ (month) _____ (year)

I am: (check one)

- ☐ the clerk of the court of which affiant is an officer.
- ☐ the judge of the court of which affiant is an officer.
- ☐ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)
- ☐ authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title

Service Fees, if applicable

Summons \$ _____
 Non Est \$ _____
 Mileage \$ _____ (_____ miles @ \$ _____ per mile)
 Total \$ _____

See the following page for directions to clerk and to officer making return on service of summons.

Directions to Clerk

Personal service outside the State of Missouri is permitted only upon certain conditions set forth in Rule 54. The clerk should insert in the summons the names of only the Defendant/Respondent or Defendants/Respondents who are to be personally served by the officer to whom the summons is delivered. The summons should be signed by the clerk or deputy clerk under the seal of the court and a copy of the summons and a copy of the petition for each Defendant/Respondent should be mailed along with the original summons to the officer who is to make service. The copy of the summons may be a carbon or other copy and should be signed and sealed in the same manner as the original but it is unnecessary to certify that it is a true copy. The copy of the motion may be a carbon or other copy and should be securely attached to the copy of the summons but need not be certified a true copy. If the Plaintiff's/Petitioner has no attorney, the Plaintiff's/Petitioner's address and telephone number should be stated in the appropriate square on the summons. This form is not for use in attachment actions. (See Rule 54.06, 54.07 and 54.14)

Directions to Officer Making Return on Service of Summons

A copy of the summons and a copy of the motion must be served on each Defendant/Respondent. If any Defendant/Respondent refuses to receive the copy of the summons and motion when offered, the return shall be prepared accordingly so as to show the offer of the officer to deliver the summons and motion and the Defendant's/Respondent's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an infant or incompetent person not having a legally appointed guardian, by delivering a copy of the summons and motion to the individual personally or by leaving a copy of the summons and motion at the individual's dwelling house or usual place of abode with some person of the family over 17 years of age, or by delivering a copy of the summons and petition to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an infant or incompetent person who has a legally appointed guardian, by delivering a copy of the summons and motion to the guardian personally; (3) On Corporation, Partnership or Other Unincorporated Association. On a corporation, partnership or unincorporated association, by delivering a copy of the summons and motion to an officer, partner, or managing or general agent, or by leaving the copies at any business office of the Defendant/Respondent with the person having charge thereof or by delivering copies to its registered agent or to any other agent authorized by appointment or required by law to receive service of process; (4) On Public or Quasi-Public Corporation or Body. Upon a public, municipal, governmental or quasi-public corporation or body in the case of a county, to the mayor or city clerk or city attorney in the case of a city, to the chief executive officer in the case of any public, municipal, governmental, or quasi-public corporation or body or to any person otherwise lawfully so designated.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory of the United States. If served in a territory, substitute the word "territory" for the word "state."

The officer making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.

Service must not be made less than ten days nor more than 30 days from the date the Defendant/Respondent is to appear in court. The return should be made promptly and in any event so that it will reach the Missouri Court within 30 days after service.



IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: BARBARA W WALLACE	Case Number: 12SL-CC03771
Plaintiff/Petitioner: RON GOLAN	Plaintiff's/Petitioner's Attorney/Address: RONALD JAY EISENBERG 640 CEPI DRIVE SUITE A CHESTERFIELD, MO 63005
Defendant/Respondent: VERITAS ENTERTAINMENT LLC	Court Address: ST LOUIS COUNTY COURT BUILDING 7900 CARONDELET AVE CLAYTON, MO 63105
Nature of Suit: CC Other Miscellaneous Actions	(Date File Stamp)

Summons for Personal Service Outside the State of Missouri (Except Attachment Action)

The State of Missouri to: AIC COMMUNICATIONS LLC

Alias:

DBA: CCADVERTISING

SERVE: THE CORPORATION TRUST
COMPANY
1209 N ORANGE ST
WILMINGTON, DE 19801

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the Plaintiff/Petitioner at the above address all within 10 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action.

09-DEC-2013

Date

Further Information:

TLC

Joan P. Solansky
Clerk

Officer's or Server's Affidavit of Service

I certify that:

- I am authorized to serve process in civil actions within the state or territory where the above summons was served.
- My official title is _____ of _____ County, _____ (state)
- I have served the above summons by: (check one)
 - ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
 - ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____, a person of the Defendant's/Respondent's family over the age of 15 years.
 - ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).
 - ☐ other (describe) _____

Served at _____ (address)
in _____ County, _____ (state) on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Subscribed and Sworn To me before this _____ (day) _____ (month) _____ (year)

I am: (check one)

- ☐ the clerk of the court of which affiant is an officer.
- ☐ the judge of the court of which affiant is an officer.
- ☐ authorized to administer oaths in the state in which the affiant served the above summons (use for out-of-state officer)
- ☐ authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title

Service Fees, if applicable

Summons \$ _____
Non Est \$ _____
Mileage \$ _____ (_____ miles @ \$ _____ per mile)
Total \$ _____

See the following page for directions to clerk and to officer making return on service of summons.

Directions to Clerk

Personal service outside the State of Missouri is permitted only upon certain conditions set forth in Rule 54. The clerk should insert in the summons the names of only the Defendant/Respondent or Defendants/Respondents who are to be personally served by the officer to whom the summons is delivered. The summons should be signed by the clerk or deputy clerk under the seal of the court and a copy of the summons and a copy of the petition for each Defendant/Respondent should be mailed along with the original summons to the officer who is to make service. The copy of the summons may be a carbon or other copy and should be signed and sealed in the same manner as the original but it is unnecessary to certify that the copy is a true copy. The copy of the motion may be a carbon or other copy and should be securely attached to the copy of the summons but need not be certified a true copy. If the Plaintiff's/Petitioner has no attorney, the Plaintiff's/Petitioner's address and telephone number should be stated in the appropriate square on the summons. This form is not for use in attachment actions. (See Rule 54.06, 54.07 and 54.14)

Directions to Officer Making Return on Service of Summons

A copy of the summons and a copy of the motion must be served on each Defendant/Respondent. If any Defendant/Respondent refuses to receive the copy of the summons and motion when offered, the return shall be prepared accordingly so as to show the offer of the officer to deliver the summons and motion and the Defendant's/Respondent's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an infant or incompetent person not having a legally appointed guardian, by delivering a copy of the summons and motion to the individual personally or by leaving a copy of the summons and motion at the individual's dwelling house or usual place of abode with some person of the family over 15 years of age, or by delivering a copy of the summons and petition to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an infant or incompetent person who has a legally appointed guardian, by delivering a copy of the summons and motion to the guardian personally; (3) On Corporation, Partnership or Other Unincorporated Association. On a corporation, partnership or unincorporated association, by delivering a copy of the summons and motion to an officer, partner, or managing or general agent, or by leaving the copies at any business office of the Defendant/Respondent with the person having charge thereof or by delivering copies to its registered agent or to any other agent authorized by appointment or required by law to receive service of process; (4) On Public or Quasi-Public Corporation or Body. Upon a public, municipal, governmental or quasi-public corporation or body in the case of a county, to the mayor or city clerk or city attorney in the case of a city, to the chief executive officer in the case of any public, municipal, governmental, or quasi-public corporation or body or to any person otherwise lawfully so designated.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory of the United States. If served in a territory, substitute the word "territory" for the word "state."

The office making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.

Service must not be made less than ten days nor more than 30 days from the date the Defendant/Respondent is to appear in court. The return should be made promptly and in any event so that it will reach the Missouri Court within 30 days after service.



IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: BARBARA W WALLACE	Case Number: 12SL-CC03771
Plaintiff/Petitioner: RON GOLAN	Plaintiff's/Petitioner's Attorney/Address: RONALD JAY EISENBERG 640 CEPI DRIVE SUITE A CHESTERFIELD, MO 63005
Defendant/Respondent: VERITAS ENTERTAINMENT LLC	Court Address: ST LOUIS COUNTY COURT BUILDING 7900 CARONDELET AVE CLAYTON, MO 63105
Nature of Suit: CC Other Miscellaneous Actions	(Date File Stamp)

Summons for Personal Service Outside the State of Missouri (Except Attachment Action)

The State of Missouri to: GABRIEL S JOSEPH III

Alias:

5417 BUGGY WHIP DR
CENTREVILLE, VA 20120

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached. and to serve a copy of your pleading upon the attorney for the Plaintiff/Petitioner at the above address all within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action.

09-DEC-2013

Date

Further Information:

TLC

Clerk

Officer's or Server's Affidavit of Service

I certify that:

- I am authorized to serve process in civil actions within the state or territory where the above summons was served.
- My official title is _____ of _____ County, _____ (state).
- I have served the above summons by: (check one)
 - ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
 - ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____, a person of the Defendant's/Respondent's family over the age of 15 years.
 - ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).
 - ☐ other (describe) _____

Served at _____ (address)
in _____ County, _____ (state), on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Subscribed and Sworn To me before this _____ (day) _____ (month) _____ (year)

- I am: (check one)
- ☐ the clerk of the court of which affiant is an officer.
 - ☐ the judge of the court of which affiant is an officer.
 - ☐ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)
 - ☐ authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title

Service Fees, if applicable

Summons \$ _____
 Non Est \$ _____
 Mileage \$ _____ (_____ miles @ \$ _____ per mile)
 Total \$ _____

See the following page for directions to clerk and to officer making return on service of summons.

Directions to Clerk

Personal service outside the State of Missouri is permitted only upon certain conditions set forth in Rule 54. The clerk should insert in the summons the names of only the Defendant/Respondent or Defendants/Respondents who are to be personally served by the officer to whom the summons is delivered. The summons should be signed by the clerk or deputy clerk under the seal of the court and a copy of the summons and a copy of the petition for each Defendant/Respondent should be mailed along with the original summons to the officer who is to make service. The copy of the summons may be a carbon or other copy and should be signed and sealed in the same manner as the original but it is unnecessary to certify that the copy is a true copy. The copy of the motion may be a carbon or other copy and should be securely attached to the copy of the summons but need not be certified a true copy. If the Plaintiff's/Petitioner has no attorney, the Plaintiff's/Petitioner's address and telephone number should be stated in the appropriate square on the summons. This form is not for use in attachment actions. (See Rule 54.06, 54.07 and 54.14)

Directions to Officer Making Return on Service of Summons

A copy of the summons and a copy of the motion must be served on each Defendant/Respondent. If any Defendant/Respondent refuses to receive the copy of the summons and motion when offered, the return shall be prepared accordingly so as to show the offer of the officer to deliver the summons and motion and the Defendant's/Respondent's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an infant or incompetent person not having a legally appointed guardian, by delivering a copy of the summons and motion to the individual personally or by leaving a copy of the summons and motion at the individual's dwelling house or usual place of abode with some person of the family over 15 years of age, or by delivering a copy of the summons and petition to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an infant or incompetent person who has a legally appointed guardian, by delivering a copy of the summons and motion to the guardian personally; (3) On Corporation, Partnership or Other Unincorporated Association. On a corporation, partnership or unincorporated association, by delivering a copy of the summons and motion to an officer, partner, or managing or general agent, or by leaving the copies at any business office of the Defendant/Respondent with the person having charge thereof or by delivering copies to its registered agent or to any other agent authorized by appointment or required by law to receive service of process; (4) On Public or Quasi-Public Corporation or Body. Upon a public, municipal, governmental or quasi-public corporation or body in the case of a county, to the mayor or city clerk or city attorney in the case of a city, to the chief executive officer in the case of any public, municipal, governmental, or quasi-public corporation or body or to any person otherwise lawfully so designated.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory of the United States. If served in a territory, substitute the word "territory" for the word "state."

The officer making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.

Service must not be made less than ten days nor more than 30 days from the date the Defendant/Respondent is to appear in court. The return should be made promptly and in any event so that it will reach the Missouri Court within 30 days after service.



IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: BARBARA W WALLACE	Case Number: 12SL-CC03771
Plaintiff/Petitioner: RON GOLAN	Plaintiff's/Petitioner's Attorney/Address: RONALD JAY EISENBERG 640 CEPI DRIVE SUITE A CHESTERFIELD, MO 63005
Defendant/Respondent: VERITAS ENTERTAINMENT LLC	Court Address: ST LOUIS COUNTY COURT BUILDING 7900 CARONDELET AVE CLAYTON, MO 63105
Nature of Suit: CC Other Miscellaneous Actions	(Date File Stamp)

Summons for Personal Service Outside the State of Missouri (Except Attachment Action)

The State of Missouri to: STEPHEN WAYNE GRIFFIN

Alias:

786 HIGH POINT RIDGE RD
FRANKLIN, TN 37069

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the Plaintiff/Petitioner at the above address all within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action.

09-DEC-2013

Date

Further Information:

TLC

Clerk

Officer's or Server's Affidavit of Service

I certify that:

- I am authorized to serve process in civil actions within the state or territory where the above summons was served.
- My official title is _____ of _____ County, _____ (state).
- I have served the above summons by: (check one)
 - ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
 - ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____, a person of the Defendant's/Respondent's family over the age of 15 years.
 - ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).
 - ☐ other (describe) _____

Served at _____ (address)
in _____ County, _____ (state), on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Subscribed and Sworn To me before this _____ (day) _____ (month) _____ (year)

I am: (check one)

- ☐ the clerk of the court of which affiant is an officer.
- ☐ the judge of the court of which affiant is an officer.
- ☐ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)
- ☐ authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title

Service Fees, if applicable

Summons \$ _____
 Non Est \$ _____
 Mileage \$ _____ (_____ miles @ \$ _____ per mile)
 Total \$ _____

See the following page for directions to clerk and to officer making return on service of summons.

Directions to Clerk

Personal service outside the State of Missouri is permitted only upon certain conditions set forth in Rule 54. The clerk should insert in the summons the names of only the Defendant/Respondent or Defendants/Respondents who are to be personally served by the officer to whom the summons is delivered. The summons should be signed by the clerk or deputy clerk under the seal of the court and a copy of the summons and a copy of the petition for each Defendant/Respondent should be mailed along with the original summons to the officer who is to make service. The copy of the summons may be a carbon or other copy and should be signed and sealed in the same manner as the original but it is unnecessary to certify that the copy is a true copy. The copy of the motion may be a carbon or other copy and should be securely attached to the copy of the summons but need not be certified a true copy. If the Plaintiff's/Petitioner has no attorney, the Plaintiff's/Petitioner's address and telephone number should be stated in the appropriate square on the summons. This form is not for use in attachment actions. (See Rule 54.06, 54.07 and 54.14)

Directions to Officer Making Return on Service of Summons

A copy of the summons and a copy of the motion must be served on each Defendant/Respondent. If any Defendant/Respondent refuses to receive the copy of the summons and motion when offered, the return shall be prepared accordingly so as to show the offer of the officer to deliver the summons and motion and the Defendant's/Respondent's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an infant or incompetent person not having a legally appointed guardian, by delivering a copy of the summons and motion to the individual personally or by leaving a copy of the summons and motion at the individual's dwelling house or usual place of abode with some person of the family over 15 years of age, or by delivering a copy of the summons and petition to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an infant or incompetent person who has a legally appointed guardian, by delivering a copy of the summons and motion to the guardian personally; (3) On Corporation, Partnership or Other Unincorporated Association. On a corporation, partnership or unincorporated association, by delivering a copy of the summons and motion to an officer, partner, or managing or general agent, or by leaving the copies at any business office of the Defendant/Respondent with the person having charge thereof or by delivering copies to its registered agent or to any other agent authorized by appointment or required by law to receive service of process; (4) On Public or Quasi-Public Corporation or Body. Upon a public, municipal, governmental or quasi-public corporation or body in the case of a county, to the mayor or city clerk or city attorney in the case of a city, to the chief executive officer in the case of any public, municipal, governmental, or quasi-public corporation or body or to any person otherwise lawfully so designated.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory of the United States. If served in a territory, substitute the word "territory" for the word "state."

The office making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.

Service must not be made less than ten days nor more than 30 days from the date the Defendant/Respondent is to appear in court. The return should be made promptly and in any event so that it will reach the Missouri Court within 30 days after service.



IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: BARBARA W WALLACE	Case Number: 12SL-CC03771
Plaintiff/Petitioner: RON GOLAN	Plaintiff's/Petitioner's Attorney/Address: RONALD JAY EISENBERG 640 CEPI DRIVE SUITE A CHESTERFIELD, MO 63005
Defendant/Respondent: VERITAS ENTERTAINMENT LLC	Court Address: ST LOUIS COUNTY COURT BUILDING 7900 CARONDELET AVE CLAYTON, MO 63105
Nature of Suit: CC Other Miscellaneous Actions	(Date File Stamp)

Summons for Personal Service Outside the State of Missouri (Except Attachment Action)

The State of Missouri to: MISSION CITY MANAGEMENT INC
Alias:

SERVE: REG AGENT
THOMAS W LYLES JR
18615 TUSCANY STONE SUITE 200
SAN ANTONIO, TX 78258

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the Plaintiff/Petitioner at the above address all within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action.

09-DEC-2013

Date

Further Information:

TLC

Joan F. Delaney
Clerk

Officer's or Server's Affidavit of Service

I certify that:

- I am authorized to serve process in civil actions within the state or territory where the above summons was served.
- My official title is _____ of _____ County, _____ (state).
- I have served the above summons by: (check one)
 - ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
 - ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____, a person of the Defendant's/Respondent's family over the age of 15 years.
 - ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).
 - ☐ other (describe) _____

Served at _____ (address)
in _____ County, _____ (state), on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Subscribed and Sworn To me before this _____ (day) _____ (month) _____ (year)

I am: (check one)

- ☐ the clerk of the court of which affiant is an officer.
- ☐ the judge of the court of which affiant is an officer.
- ☐ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)
- ☐ authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title

Service Fees, if applicable

Summons \$ _____
Non Est \$ _____
Mileage \$ _____ (_____ miles @ \$ _____ per mile)
Total \$ _____

See the following page for directions to clerk and to officer making return on service of summons.

Directions to Clerk

Personal service outside the State of Missouri is permitted only upon certain conditions set forth in Rule 54. The clerk should insert in the summons the names of only the Defendant/Respondent or Defendants/Respondents who are to be personally served by the officer to whom the summons is delivered. The summons should be signed by the clerk or deputy clerk under the seal of the court and a copy of the summons and a copy of the petition for each Defendant/Respondent should be mailed along with the original summons to the officer who is to make service. The copy of the summons may be a carbon or other copy and should be signed and sealed in the same manner as the original but it is unnecessary to certify that the copy is a true copy. The copy of the motion may be a carbon or other copy and should be securely attached to the copy of the summons but need not be certified a true copy. If the Plaintiff's/Petitioner has no attorney, the Plaintiff's/Petitioner's address and telephone number should be stated in the appropriate square on the summons. This form is not for use in attachment actions. (See Rule 54.06, 54.07 and 54.14)

Directions to Officer Making Return on Service of Summons

A copy of the summons and a copy of the motion must be served on each Defendant/Respondent. If any Defendant/Respondent refuses to receive the copy of the summons and motion when offered, the return shall be prepared accordingly so as to show the offer of the officer to deliver the summons and motion and the Defendant's/Respondent's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an infant or incompetent person not having a legally appointed guardian, by delivering a copy of the summons and motion to the individual personally or by leaving a copy of the summons and motion at the individual's dwelling house or usual place of abode with some person of the family over 15 years of age, or by delivering a copy of the summons and petition to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an infant or incompetent person who has a legally appointed guardian, by delivering a copy of the summons and motion to the guardian personally; (3) On Corporation, Partnership or Other Unincorporated Association. On a corporation, partnership or unincorporated association, by delivering a copy of the summons and motion to an officer, partner, or managing or general agent, or by leaving the copies at any business office of the Defendant/Respondent with the person having charge thereof or by delivering copies to its registered agent or to any other agent authorized by appointment or required by law to receive service of process; (4) On Public or Quasi-Public Corporation or Body. Upon a public, municipal, governmental or quasi-public corporation or body in the case of a county, to the mayor or city clerk or city attorney in the case of a city, to the chief executive officer in the case of any public, municipal, governmental, or quasi-public corporation or body or to any person otherwise lawfully so designated.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory of the United States. If served in a territory, substitute the word "territory" for the word "state."

The office making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.

Service must not be made less than ten days nor more than 30 days from the date the Defendant/Respondent is to appear in court. The return should be made promptly and in any event so that it will reach the Missouri Court within 30 days after service.



IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: BARBARA W WALLACE	Case Number: 12SL-CC03771
Plaintiff/Petitioner: RON GOLAN	Plaintiff's/Petitioner's Attorney/Address: RONALD JAY EISENBERG 640 CEPI DRIVE SUITE A CHESTERFIELD, MO 63005
Defendant/Respondent: VERITAS ENTERTAINMENT LLC	Court Address: ST LOUIS COUNTY COURT BUILDING 7900 CARONDELET AVE CLAYTON, MO 63105
Nature of Suit: CC Other Miscellaneous Actions	

(Date File Stamp)

Summons for Personal Service Outside the State of Missouri (Except Attachment Action)

The State of Missouri to: **COURAGE 2012 LLC**
Alias:

SERVE: REG AGENT
THOMAS W LYLES JR
18615 TUSCANY STONE SUITE 200
SAN ANTONIO, TX 78258

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the Plaintiff/Petitioner at the above address all within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action.

09-DEC-2013

Date

Further Information:
TLC

John P. Lyles
Clerk

Officer's or Server's Affidavit of Service

I certify that:

- I am authorized to serve process in civil actions within the state or territory where the above summons was served.
- My official title is _____ of _____ County, _____ (state).
- I have served the above summons by: (check one)
 - ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
 - ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____, a person of the Defendant's/Respondent's family over the age of 15 years.
 - ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).
 - ☐ other (describe) _____

Served at _____ (address)
in _____ County, _____ (state), on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Subscribed and Sworn To me before this _____ (day) _____ (month) _____ (year)

I am: (check one)

- ☐ the clerk of the court of which affiant is an officer.
- ☐ the judge of the court of which affiant is an officer.
- ☐ authorized to administer oaths in the state in which the affiant served the above summons.
(use for out-of-state officer)
- ☐ authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title

Service Fees, if applicable

Summons \$ _____
Non Est \$ _____
Mileage \$ _____ (_____ miles @ \$ _____ per mile)
Total \$ _____

See the following page for directions to clerk and to officer making return on service of summons.

Directions to Clerk

Personal service outside the State of Missouri is permitted only upon certain conditions set forth in Rule 54. The clerk should insert in the summons the names of only the Defendant/Respondent or Defendants/Respondents who are to be personally served by the officer to whom the summons is delivered. The summons should be signed by the clerk or deputy clerk under the seal of the court and a copy of the summons and a copy of the petition for each Defendant/Respondent should be mailed along with the original summons to the officer who is to make service. The copy of the summons may be a carbon or other copy and should be signed and sealed in the same manner as the original but it is unnecessary to certify that the copy is a true copy. The copy of the motion may be a carbon or other copy and should be securely attached to the copy of the summons but need not be certified a true copy. If the Plaintiff's/Petitioner has no attorney, the Plaintiff's/Petitioner's address and telephone number should be stated in the appropriate square on the summons. This form is not for use in attachment actions. (See Rule 54.06, 54.07 and 54.14)

Directions to Officer Making Return on Service of Summons

A copy of the summons and a copy of the motion must be served on each Defendant/Respondent. If any Defendant/Respondent refuses to receive the copy of the summons and motion when offered, the return shall be prepared accordingly so as to show the offer of the officer to deliver the summons and motion and the Defendant's/Respondent's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an infant or incompetent person not having a legally appointed guardian, by delivering a copy of the summons and motion to the individual personally or by leaving a copy of the summons and motion at the individual's dwelling house or usual place of abode with some person of the family over 15 years of age, or by delivering a copy of the summons and petition to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an infant or incompetent person who has a legally appointed guardian, by delivering a copy of the summons and motion to the guardian personally; (3) On Corporation, Partnership or Other Unincorporated Association. On a corporation, partnership or unincorporated association, by delivering a copy of the summons and motion to an officer, partner, or managing or general agent, or by leaving the copies at any business office of the Defendant/Respondent with the person having charge thereof or by delivering copies to its registered agent or to any other agent authorized by appointment or required by law to receive service of process; (4) On Public or Quasi-Public Corporation or Body. Upon a public, municipal, governmental or quasi-public corporation or body in the case of a county, to the mayor or city clerk or city attorney in the case of a city, to the chief executive officer in the case of any public, municipal, governmental, or quasi-public corporation or body or to any person otherwise lawfully so designated.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory of the United States. If served in a territory, substitute the word "territory" for the word "state."

The office making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.

Service must not be made less than ten days nor more than 30 days from the date the Defendant/Respondent is to appear in court. The return should be made promptly and in any event so that it will reach the Missouri Court within 30 days after service.



IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: BARBARA W WALLACE	Case Number: 12SL-CC03771
Plaintiff/Petitioner: RON GOLAN	Plaintiff's/Petitioner's Attorney/Address: RONALD JAY EISENBERG 640 CEPI DRIVE SUITE A CHESTERFIELD, MO 63005
Defendant/Respondent: VERITAS ENTERTAINMENT LLC	Court Address: ST LOUIS COUNTY COURT BUILDING 7900 CARONDELET AVE CLAYTON, MO 63105
Nature of Suit: CC Other Miscellaneous Actions	

(Date File Stamp)

Summons for Personal Service Outside the State of Missouri (Except Attachment Action)

The State of Missouri to: JAMES R LEININGER

Alias:

8122 DATAPOINT DR
SUITE 1000
SAN ANTONIO, TX 78229

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the Plaintiff/Petitioner at the above address all within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action.

09-DEC-2013

Date

Further Information:
TLC

James R. Leininger
Clerk

Officer's or Server's Affidavit of Service

I certify that:

- I am authorized to serve process in civil actions within the state or territory where the above summons was served.
- My official title is _____ of _____ County, _____ (state).
- I have served the above summons by: (check one)
 - ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
 - ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____, a person of the Defendant's/Respondent's family over the age of 15 years.
 - ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).
 - ☐ other (describe) _____

Served at _____ (address)
in _____ County, _____ (state), on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Subscribed and Sworn To me before this _____ (day) _____ (month) _____ (year)

I am: (check one)

- ☐ the clerk of the court of which affiant is an officer.
- ☐ the judge of the court of which affiant is an officer.
- ☐ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)
- ☐ authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title

Service Fees, if applicable

Summons \$ _____
Non Est \$ _____
Mileage \$ _____ (_____ miles @ \$ _____ per mile)
Total \$ _____

See the following page for directions to clerk and to officer making return on service of summons.

Directions to Clerk

Personal service outside the State of Missouri is permitted only upon certain conditions set forth in Rule 54. The clerk should insert in the summons the names of only the Defendant/Respondent or Defendants/Respondents who are to be personally served by the officer to whom the summons is delivered. The summons should be signed by the clerk or deputy clerk under the seal of the court and a copy of the summons and a copy of the petition for each Defendant/Respondent should be mailed along with the original summons to the officer who is to make service. The copy of the summons may be a carbon or other copy and should be signed and sealed in the same manner as the original but it is unnecessary to certify that the copy is a true copy. The copy of the motion may be a carbon or other copy and should be securely attached to the copy of the summons but need not be certified a true copy. If the Plaintiff's/Petitioner has no attorney, the Plaintiff's/Petitioner's address and telephone number should be stated in the appropriate square on the summons. This form is not for use in attachment actions. (See Rule 54.06, 54.07 and 54.14)

Directions to Officer Making Return on Service of Summons

A copy of the summons and a copy of the motion must be served on each Defendant/Respondent. If any Defendant/Respondent refuses to receive the copy of the summons and motion when offered, the return shall be prepared accordingly so as to show the offer of the officer to deliver the summons and motion and the Defendant's/Respondent's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an infant or incompetent person not having a legally appointed guardian, by delivering a copy of the summons and motion to the individual personally or by leaving a copy of the summons and motion at the individual's dwelling house or usual place of abode with some person of the family over 15 years of age, or by delivering a copy of the summons and petition to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an infant or incompetent person who has a legally appointed guardian, by delivering a copy of the summons and motion to the guardian personally; (3) On Corporation, Partnership or Other Unincorporated Association. On a corporation, partnership or unincorporated association, by delivering a copy of the summons and motion to an officer, partner, or managing or general agent, or by leaving the copies at any business office of the Defendant/Respondent with the person having charge thereof or by delivering copies to its registered agent or to any other agent authorized by appointment or required by law to receive service of process; (4) On Public or Quasi-Public Corporation or Body. Upon a public, municipal, governmental or quasi-public corporation or body in the case of a county, to the mayor or city clerk or city attorney in the case of a city, to the chief executive officer in the case of any public, municipal, governmental, or quasi-public corporation or body or to any person otherwise lawfully so designated.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory of the United States. If served in a territory, substitute the word "territory" for the word "state."

The officer making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.

Service must not be made less than ten days nor more than 30 days from the date the Defendant/Respondent is to appear in court. The return should be made promptly and in any event so that it will reach the Missouri Court within 30 days after service.



IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: BARBARA W WALLACE	Case Number: 12SL-CC03771
Plaintiff/Petitioner: RON GOLAN	Plaintiff's/Petitioner's Attorney/Address: RONALD JAY EISENBERG 640 CEPI DRIVE SUITE A CHESTERFIELD, MO 63005
Defendant/Respondent: VERITAS ENTERTAINMENT LLC	Court Address: ST LOUIS COUNTY COURT BUILDING 7900 CARONDELET AVE CLAYTON, MO 63105
Nature of Suit: CC Other Miscellaneous Actions	

(Date File Stamp)

Summons for Personal Service Outside the State of Missouri (Except Attachment Action)

The State of Missouri to: SIXDI INC
Alias:
DBA: SIXDI

11024 ARROYO CANYON
AUSTIN, TX 78736

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the Plaintiff/Petitioner at the above address all within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action.

09-DEC-2013

Date

Further Information:
TLC

James P. Lilley
Clerk

Officer's or Server's Affidavit of Service

I certify that:

- I am authorized to serve process in civil actions within the state or territory where the above summons was served.
- My official title is _____ of _____ County, _____ (state).
- I have served the above summons by: (check one)
 - ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
 - ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____, a person of the Defendant's/Respondent's family over the age of 15 years.
 - ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).
 - ☐ other (describe) _____

Served at _____ (address)
in _____ County, _____ (state), on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Subscribed and Sworn To me before this _____ (day) _____ (month) _____ (year)

I am: (check one)

- ☐ the clerk of the court of which affiant is an officer.
- ☐ the judge of the court of which affiant is an officer.
- ☐ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)
- ☐ authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title

Service Fees, if applicable

Summons \$ _____
Non Est \$ _____
Mileage \$ _____ (_____ miles @ \$ _____ per mile)
Total \$ _____

See the following page for directions to clerk and to officer making return on service of summons.

Directions to Clerk

Personal service outside the State of Missouri is permitted only upon certain conditions set forth in Rule 54. The clerk should insert in the summons the names of only the Defendant/Respondent or Defendants/Respondents who are to be personally served by the officer to whom the summons is delivered. The summons should be signed by the clerk or deputy clerk under the seal of the court and a copy of the summons and a copy of the petition for each Defendant/Respondent should be mailed along with the original summons to the officer who is to make service. The copy of the summons may be a carbon or other copy and should be signed and sealed in the same manner as the original but it is unnecessary to certify that the copy is a true copy. The copy of the motion may be a carbon or other copy and should be securely attached to the copy of the summons but need not be certified a true copy. If the Plaintiff's/Petitioner has no attorney, the Plaintiff's/Petitioner's address and telephone number should be stated in the appropriate square on the summons. This form is not for use in attachment actions. (See Rule 54.06, 54.07 and 54.14)

Directions to Officer Making Return on Service of Summons

A copy of the summons and a copy of the motion must be served on each Defendant/Respondent. If any Defendant/Respondent refuses to receive the copy of the summons and motion when offered, the return shall be prepared accordingly so as to show the offer of the officer to deliver the summons and motion and the Defendant's/Respondent's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an infant or incompetent person not having a legally appointed guardian, by delivering a copy of the summons and motion to the individual personally or by leaving a copy of the summons and motion at the individual's dwelling house or usual place of abode with some person of the family over 15 years of age, or by delivering a copy of the summons and petition to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an infant or incompetent person who has a legally appointed guardian, by delivering a copy of the summons and motion to the guardian personally; (3) On Corporation, Partnership or Other Unincorporated Association. On a corporation, partnership or unincorporated association, by delivering a copy of the summons and motion to an officer, partner, or managing or general agent, or by leaving the copies at any business office of the Defendant/Respondent with the person having charge thereof or by delivering copies to its registered agent or to any other agent authorized by appointment or required by law to receive service of process; (4) On Public or Quasi-Public Corporation or Body. Upon a public, municipal, governmental or quasi-public corporation or body in the case of a county, to the mayor or city clerk or city attorney in the case of a city, to the chief executive officer in the case of any public, municipal, governmental, or quasi-public corporation or body or to any person otherwise lawfully so designated.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory of the United States. If served in a territory, substitute the word "territory" for the word "state."

The office making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.

Service must not be made less than ten days nor more than 30 days from the date the Defendant/Respondent is to appear in court. The return should be made promptly and in any event so that it will reach the Missouri Court within 30 days after service.



IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: BARBARA W WALLACE	Case Number: 12SL-CC03771
Plaintiff/Petitioner: RON GOLAN	Plaintiff's/Petitioner's Attorney/Address: RONALD JAY EISENBERG 640 CEPI DRIVE SUITE A CHESTERFIELD, MO 63005
Defendant/Respondent: VERITAS ENTERTAINMENT LLC	Court Address: ST LOUIS COUNTY COURT BUILDING 7900 CARONDELET AVE CLAYTON, MO 63105
Nature of Suit: CC Other Miscellaneous Actions	(Date File Stamp)

**Summons for Personal Service Outside the State of Missouri
(Except Attachment Action)**

The State of Missouri to: BOB BREWER

Alias:

11024 ARROYO CANYON
AUSTIN, TX 78736

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the Plaintiff/Petitioner at the above address all within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action.

09-DEC-2013

Date

Further Information:
TLC

Clerk
Officer's or Server's Affidavit of Service

I certify that:

- I am authorized to serve process in civil actions within the state or territory where the above summons was served.
- My official title is _____ of _____ County, _____ (state).
- I have served the above summons by: (check one)
 - ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
 - ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____, a person of the Defendant's/Respondent's family over the age of 15 years.
 - ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).
 - ☐ other (describe) _____

Served at _____ (address)
in _____ County, _____ (state), on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Subscribed and Sworn To me before this _____ (day) _____ (month) _____ (year)

I am: (check one)

- ☐ the clerk of the court of which affiant is an officer.
- ☐ the judge of the court of which affiant is an officer.
- ☐ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)
- ☐ authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title

Service Fees, if applicable

Summons \$ _____
 Non Est \$ _____
 Mileage \$ _____ (_____ miles @ \$ _____ per mile)
 Total \$ _____

See the following page for directions to clerk and to officer making return on service of summons.

Directions to Clerk

Personal service outside the State of Missouri is permitted only upon certain conditions set forth in Rule 54. The clerk should insert in the summons the names of only the Defendant/Respondent or Defendants/Respondents who are to be personally served by the officer to whom the summons is delivered. The summons should be signed by the clerk or deputy clerk under the seal of the court and a copy of the summons and a copy of the petition for each Defendant/Respondent should be mailed along with the original summons to the officer who is to make service. The copy of the summons may be a carbon or other copy and should be signed and sealed in the same manner as the original but it is unnecessary to certify that the copy is a true copy. The copy of the motion may be a carbon or other copy and should be securely attached to the copy of the summons but need not be certified a true copy. If the Plaintiff's/Petitioner has no attorney, the Plaintiff's/Petitioner's address and telephone number should be stated in the appropriate square on the summons. This form is not for use in attachment actions. (See Rule 54.06, 54.07 and 54.14)

Directions to Officer Making Return on Service of Summons

A copy of the summons and a copy of the motion must be served on each Defendant/Respondent. If any Defendant/Respondent refuses to receive the copy of the summons and motion when offered, the return shall be prepared accordingly so as to show the offer of the officer to deliver the summons and motion and the Defendant's/Respondent's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an infant or incompetent person not having a legally appointed guardian, by delivering a copy of the summons and motion to the individual personally or by leaving a copy of the summons and motion at the individual's dwelling house or usual place of abode with some person of the family over 15 years of age, or by delivering a copy of the summons and petition to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an infant or incompetent person who has a legally appointed guardian, by delivering a copy of the summons and motion to the guardian personally; (3) On Corporation, Partnership or Other Unincorporated Association. On a corporation, partnership or unincorporated association, by delivering a copy of the summons and motion to an officer, partner, or managing or general agent, or by leaving the copies at any business office of the Defendant/Respondent with the person having charge thereof or by delivering copies to its registered agent or to any other agent authorized by appointment or required by law to receive service of process; (4) On Public or Quasi-Public Corporation or Body. Upon a public, municipal, governmental or quasi-public corporation or body in the case of a county, to the mayor or city clerk or city attorney in the case of a city, to the chief executive officer in the case of any public, municipal, governmental, or quasi-public corporation or body or to any person otherwise lawfully so designated.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory of the United States. If served in a territory, substitute the word "territory" for the word "state."

The office making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.

Service must not be made less than ten days nor more than 30 days from the date the Defendant/Respondent is to appear in court. The return should be made promptly and in any event so that it will reach the Missouri Court within 30 days after service.



IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: BARBARA W WALLACE	Case Number: 12SL-CC03771
Plaintiff/Petitioner: RON GOLAN	Plaintiff's/Petitioner's Attorney/Address: RONALD JAY EISENBERG 640 CEPI DRIVE SUITE A CHESTERFIELD, MO 63005
Defendant/Respondent: VERITAS ENTERTAINMENT LLC	Court Address: ST LOUIS COUNTY COURT BUILDING 7900 CARONDELET AVE CLAYTON, MO 63105
Nature of Suit: CC Other Miscellaneous Actions	

(Date File Stamp)

Summons for Personal Service Outside the State of Missouri (Except Attachment Action)

The State of Missouri to: **MICHAEL DALE HUCKABEE**
Alias: **MIKE HUCKABEE**

756 BLUE MOUNTAIN RD
SANTA ROSA BEACH, FL 32459

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the Plaintiff/Petitioner at the above address all within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action.

09-DEC-2013

Date

Further Information:
TLC

Joan P. Lilley
Clerk

Officer's or Server's Affidavit of Service

I certify that:

- I am authorized to serve process in civil actions within the state or territory where the above summons was served.
- My official title is _____ of _____ County, _____ (state).
- I have served the above summons by: (check one)
 - ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
 - ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____, a person of the Defendant's/Respondent's family over the age of 15 years.
 - ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).
 - ☐ other (describe) _____

Served at _____ (address)
in _____ County, _____ (state), on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Subscribed and Sworn To me before this _____ (day) _____ (month) _____ (year)

I am: (check one)

- ☐ the clerk of the court of which affiant is an officer.
- ☐ the judge of the court of which affiant is an officer.
- ☐ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)
- ☐ authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title

Service Fees, if applicable

Summons \$ _____
Non Est \$ _____
Mileage \$ _____ (_____ miles @ \$ _____ per mile)
Total \$ _____

See the following page for directions to clerk and to officer making return on service of summons.

Directions to Clerk

Personal service outside the State of Missouri is permitted only upon certain conditions set forth in Rule 54. The clerk should insert in the summons the names of only the Defendant/Respondent or Defendants/Respondents who are to be personally served by the officer to whom the summons is delivered. The summons should be signed by the clerk or deputy clerk under the seal of the court and a copy of the summons and a copy of the petition for each Defendant/Respondent should be mailed along with the original summons to the officer who is to make service. The copy of the summons may be a carbon or other copy and should be signed and sealed in the same manner as the original but it is unnecessary to certify that the copy is a true copy. The copy of the motion may be a carbon or other copy and should be securely attached to the copy of the summons but need not be certified a true copy. If the Plaintiff's/Petitioner has no attorney, the Plaintiff's/Petitioner's address and telephone number should be stated in the appropriate square on the summons. This form is not for use in attachment actions. (See Rule 54.06, 54.07 and 54.14)

Directions to Officer Making Return on Service of Summons

A copy of the summons and a copy of the motion must be served on each Defendant/Respondent. If any Defendant/Respondent refuses to receive the copy of the summons and motion when offered, the return shall be prepared accordingly so as to show the offer of the officer to deliver the summons and motion and the Defendant's/Respondent's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an infant or incompetent person not having a legally appointed guardian, by delivering a copy of the summons and motion to the individual personally or by leaving a copy of the summons and motion at the individual's dwelling house or usual place of abode with some person of the family over 15 years of age, or by delivering a copy of the summons and petition to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an infant or incompetent person who has a legally appointed guardian, by delivering a copy of the summons and motion to the guardian personally; (3) On Corporation, Partnership or Other Unincorporated Association. On a corporation, partnership or unincorporated association, by delivering a copy of the summons and motion to an officer, partner, or managing or general agent, or by leaving the copies at any business office of the Defendant/Respondent with the person having charge thereof or by delivering copies to its registered agent or to any other agent authorized by appointment or required by law to receive service of process; (4) On Public or Quasi-Public Corporation or Body. Upon a public, municipal, governmental or quasi-public corporation or body in the case of a county, to the mayor or city clerk or city attorney in the case of a city, to the chief executive officer in the case of any public, municipal, governmental, or quasi-public corporation or body or to any person otherwise lawfully so designated.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory of the United States. If served in a territory, substitute the word "territory" for the word "state."

The office making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.

Service must not be made less than ten days nor more than 30 days from the date the Defendant/Respondent is to appear in court. The return should be made promptly and in any event so that it will reach the Missouri Court within 30 days after service.

**IN THE MISSOURI CIRCUIT COURT
FOR THE TWENTY-FIRST JUDICIAL CIRCUIT-
ST. LOUIS COUNTY**

**RON GOLAN and DORIT
GOLAN,**

Plaintiffs,

v.

**VERITAS ENTERTAINMENT,
LLC, et al.,**

Defendants.

Case No. 12SL-CC03771

Division: 13

**PLAINTIFFS' FIRST MOTION FOR CLASS CERTIFICATION AS TO
FIRST AMENDED PETITION**

Plaintiffs Ron Golan and Dorit Golan request, under Missouri Supreme Court Rule 52.08, that this Court certify as a class action their case brought under the Telephone Consumer Protection Act of 1991, 47 U.S.C. §§ 227, *et seq.*, and 47 C.F.R. § 64.1200(a), promulgated thereunder (hereinafter referred to collectively as "TCPA" unless otherwise indicated) (Count I), and Missouri's Do Not Call Law, Mo. Rev. Stat. §§ 407.1095-407.1110 (Count II), against Defendants (a) Veritas Entertainment, LLC, (b) Veritas Marketing Group, LLC, (c) Freeeats.com, Inc., d/b/a ccAdvertising, (d) AIC Communications, LLC, d/b/a ccAdvertising, (e) Gabriel S. Joseph, III, (f) Stephen Wayne Griffin, (g) Mission City Management, Inc., (h) Courage 2012, LLC, (i) James R. Leininger, (j) Sixdi, Inc., d/b/a Sixdi, (k) Bob Brewer, and (l) Michael Dale Huckabee a/k/a Mike Huckabee.

This case involves approximately 4 million unauthorized telephone calls using the recorded voice of Mike Huckabee to encourage persons to go see a movie, "Last Ounce of Courage."

The Golans seek certification for the following Class and Sub-Class of similarly situated persons:

Class (for Count I under the TCPA)

All persons within the United States to whom Defendants (or some person on Defendants' behalf), within four years of October 3, 2012, initiated one or more telephone calls to such persons' residential telephone lines using the recorded voice of Mike Huckabee to deliver a message as part of the above-mentioned campaign regarding the movie Last Ounce of Courage.

Sub-Class (for Count II under Missouri's Do Not Call Law)

All Missouri residential subscribers registered on Missouri's No Call List who received, within any twelve-month period after January 1, 2012, more than one "telephone solicitation" (as defined by Missouri Revised Statutes § 407.1095(3)) by or on behalf of Defendants, using the recorded voice of Mike Huckabee as part of a campaign promoting Last Ounce of Courage.

Plaintiffs further requests that the Court appoint Plaintiffs Ron and Dorit Golan as class representatives and Schultz & Associates LLP as class counsel. In further support of this motion, Plaintiffs states as follows:

1. Although Plaintiffs' recent Amended Class Action Petition names ten additional defendants and summonses for the new defendants have not yet been issued, Plaintiffs are filing this motion at this time to avoid any attempt by Defendants to "pick off" Plaintiffs through an offer of judgment or individual settlement offer, as suggested by some court decisions. *See, e.g., Warren v. Sessoms*, 676 F.3d 365, 372 (4th Cir. 2012); *Damasco v. Clearwire Corp.*, 662 F.3d 891 (7th Cir. 2011); Mo. S. Ct. R. 77.04 (offer of judgment). Plaintiffs learned through discovery facts about the new defendants' existence and/or involvement in the unlawful telephone campaign and will propound discovery on the new defendants to develop more fully the facts and evidence relevant to class certification. Therefore, Plaintiffs may file a revised memorandum of

law in support of this motion thereafter. Alternatively, Plaintiffs request that the Court enter and continue, or stay, this motion.

The Last Ounce of Courage advertising campaign.

3. Veritas Entertainment helped produce “Last Ounce of Courage,” a movie that opened nationwide in at least 1,400 theatres on or about September 14, 2012, and played at the Wehrenberg Chesterfield Galaxy 14 theatre in Chesterfield, Missouri. (ccAdvertising000335.¹)

4. Last Ounce of Courage was initially owned by Eastern Gate Films, L.L.C. (Eastern Gate), which had started making the movie and then asked Veritas Entertainment to come alongside and fix the film. (Griffin Dep. at 12-13.)

5. Veritas Entertainment provided capital to fix the film in exchange for an equity interest in Last Ounce of Courage. (Griffin Dep. at 12-13.)

6. After investing money into the film, Griffin and his associated entities owned a 49 percent interest in Last Ounce of Courage. (Griffin Dep. at 13.)

7. Mission City Management made an investment of \$10,000,000 to market Last Ounce of Courage. (Griffin Dep. at 15.)

8. In 2012, a new company—Courage 2012, LLC—was formed, which along with Mission City Management and Veritas Entertainment owned the film. (Griffin Dep. at 15.)

9. The only movie Veritas Marketing ever marketed was Last Ounce of Courage. (Griffin Dep. at 9.)

¹ Parenthetical citations are to documents obtain through discovery to Veritas Marketing and Veritas Entertainment, including the deposition of Stephen Griffin on September 4, 2013, and documents produced by Freeeats.com, Inc., d/b/a ccAdvertising in conjunction with the August 29, 2013 deposition of Gabriel Joseph resulting from the Amended Notice of Deposition and corresponding subpoena filed on August 21, 2013. The Golans are attaching their supporting documents to this motion.

10. In 2012, Leininger (also referred to as “Dr. Jim” or “Dr. L.”) introduced Griffin of Veritas Marketing and Veritas Entertainment to Gabe Joseph and ccAdvertising, who subsequently made a Power Point pitch, which included the use of telemarketing, to Griffin about how to promote the movie effectively. (Griffin Dep. at 17-18.)

11. Griffin and Joseph then engaged in a series of discussions about a telemarketing campaign to promote Last Ounce of Courage, with Griffin acting on behalf of both Veritas Entertainment and Veritas Marketing.

12. Dr. Jim also introduced Griffin to radio talk show host and former Arkansas Governor, Mike Huckabee, and, in June or July 2012, Griffin went to Florida to screen Last Ounce of Courage to Huckabee at Huckabee’s home, with Dr. Jim present. (Griffin Dep. at 118-20.)

13. Defendants worked in concert to design and implement a telephone advertising campaign to promote Last Ounce of Courage, i.e., each Defendant materially and substantively contributed to the creation and making of the telemarketing campaign that is the subject of this lawsuit.

14. In communicating by email to Griffin, Joseph carbon copied Dr. Jim, noting, “Dr. Jim can engage as needed,” and upon information and belief, this statement was true, because Dr. Jim was an integral part of the telemarketing that is the subject of this case, and had the power and interest to control this telemarketing. (ccAdvertising000392- ccAdvertising000393.)

15. In email exchanges between Griffin and Joseph, Griffin often identified himself as the “President & CEO” of Veritas Entertainment and used email address sgriffin@veritashq.com, with “hq” standing for “headquarters.” (Griffin Dep. at 60.)

16. The advertising campaign for Last Ounce of Courage included approximately 4 million telephone calls to residential telephone numbers through many states in the United States and “Email to Text (ETT) Messages” to 30 million cell phones. (ccAdvertising000325.)

17. Defendants each participated in this marketing scheme with full knowledge that the telephone calls that were made would be recorded ahead of time and played when recipients or their voice mail picked up the phone and each also actively participated in developing the ruse that the calls would appear to be a survey as to whether the call recipients had traditional American values, with the marketing ploy to suggest that, if the recipients believed in freedom and liberty, they would enjoy Last Ounce of Courage.

18. For example, Joseph referred to the telephone calls as “Artificial Intelligence Call” or “AIC” calls: the technology functioned “like a decision tree” or, in the words of Joseph, a “logic tree,” in that the recipient’s yes or no responses to questions would dictate the next prerecorded question. (Joseph Dep. at 60-61; ccAdvertising000325.)

19. Griffin was initially concerned with that cost of a large-scale telephone-call campaign, informing Joseph in an August 31, 2012 email, “[t]he money is just not there” and “the only way I know to pay for this is to go back to Dr. L.” (ccAdvertising000390.)

20. Griffin was more concerned with getting viewers to see Last Ounce of Courage than gathering information about them, as evidenced by the following in his August 31 email to Joseph: "I want people to go see the movie your [sic] right we only have two weeks. Getting a lot of info about people with a call to see the movie does not help me at this point." (ccAdvertising000390.)

21. For the Last Ounce of Courage AIC calls, ccAdvertising prepared the initial suggested script, including the following segments, among others:

1.

HELLO THIS IS GOVERNOR MIKE HUCKABEE, WITH A 45-SECOND SURVEY. DO YOU BELIEVE IN AMERICAN FREEDOM AND LIBERTY?

2

THIS SURVEY IS ABOUT AMERICAN FREEDOM AND LIBERTY. EVERY WEEKDAY, I AM ON THE RADIO TALKING ABOUT LIBERTY, FREEDOM AND VALUES. I INVITE YOU TO LISTEN TO THE MIKE HUCKABEE RADIO SHOW IN YOUR AREA TO HEAR MORE. ARE YOU, LIKE ME CONCERNED THAT IN THE LAST 10-YEARS AMERICANS HAVE LOST SOME OF THEIR RIGHTS AND RELIGIOUS FREEDOM?

3.

DO YOU AGREE THAT TRADITIONAL AMERICAN VALUES ARE UNDER ATTACK IN MAIN STREAM MEDIA AND BY OUR GOVERNMENT?

4.

WOULD YOU LIKE, ME MIKE HUCKABEE, LIKE TO SEE HOLLYWOOD RESPECT AND PROMOTE TRADITIONAL AMERICAN VALUES?

5.

I AM AN ENTHUSIASTIC SUPPORTER OF A NEW MOVIE CALLED LAST OUNCE OF COURAGE. IT IS A FILM ABOUT FAITH, FREEDOM, AND TAKING A STAND FOR AMERICAN VALUES. MAY I TELL YOU MORE ABOUT WHY I RECOMMEND THAT YOU AND ALL AMERICANS SEE THE MOVIE LAST OUNCE OF COURAGE? (PLEASE NOTE THAT ONLY "YES" RESPONSES GO TO SEGMENT 6. ALL OTHER RESPONSES GO TO SEGMENT 8)

6.

THANK YOU FOR YOUR INTEREST. LAST OUNCE OF COURAGE OPENS IN THEATERS ON FRIDAY, SEPTEMBER 14TH. LAST OUNCE OF COURAGE WILL INSPIRE YOU AND YOUR LOVED ONES TO CELEBRATE OUR NATION AND THE SACRIFICES MADE TO PROTECT OUR LIBERTIES. IT IS A GREAT STORY ABOUT TAKING A STAND FOR RELIGIOUS FREEDOM. THE FILM IS A TIMELY REMINDER OF ALL THAT IS WORTH DEFENDING IN OUR NATION. EXPERIENCE THE LAST OUNCE OF COURAGE TRAILER AND SEE AUDIENCE REACTIONS AT WWW.DOT.LAST.OUNCE.THE.MOVIE.DOT.COM, THAT'S LAST.OUNCE.THE.MOVIE.DOT.COM. WOULD YOU LIKE TO HEAR THIS INFORMATION AGAIN? (PLEASE NOTE THAT ONLY "YES" RESPONSES GO TO SEGMENT 7. ALL OTHER RESPONSES GO TO SEGMENT 8)

7.

LAST OUNCE OF COURAGE OPENS IN THEATERS ON FRIDAY, SEPTEMBER 14TH. LAST OUNCE OF COURAGE WILL INSPIRE YOU AND YOUR LOVED ONES TO CELEBRATE OUR NATION AND THE SACRIFICES MADE TO PROTECT OUR LIBERTIES. IT IS A GREAT STORY ABOUT TAKING A STAND FOR RELIGIOUS FREEDOM. THE FILM IS A TIMELY REMINDER OF ALL THAT IS WORTH DEFENDING IN OUR NATION. EXPERIENCE THE LAST OUNCE OF COURAGE TRAILER AND SEE AUDIENCE REACTIONS AT WWW.DOT.LASTOUNCE.THEMOVIE.DOT.COM. THAT'S LAST OUNCE THE MOVIE.DOT.COM

8.

THANK YOU FOR YOUR ANSWERS SO FAR. I HAVE A JUST FEW MORE QUESTIONS FOR DEMOGRAPHIC PURPOSES. DO YOU OWN A SMART PHONE?

* * *

11.

THIS IS GOVERNOR MIKE HUCKABEE. THANK YOU FOR YOU TIME AND VIEWS. I INVITE YOU TO LISTEN TO MY RADIO SHOW, EVERY WEEKDAY ON A STATION IN YOUR AREA AND TO SEE THE MOVIE, LAST OUNCE OF COURAGE IN THEATERS ON SEPTEMBER 14TH. THIS SURVEY WAS SPONSORED BY LAST OUNCE OF COURAGE. FOR MORE INFORMATION PLEASE VISIT LAST OUNCE THE MOVIE.DOT.COM OR CALL 419/777-8263. GOODBYE.

14.

THIS IS GOVERNOR MIKE HUCKABEE. THANK YOU FOR YOU TIME AND VIEWS. I INVITE YOU TO LISTEN TO MY RADIO SHOW, EVERY WEEKDAY ON A STATION IN YOUR AREA AND TO SEE THE MOVIE, LAST OUNCE OF COURAGE IN THEATERS ON SEPTEMBER 14TH. THIS SURVEY WAS SPONSORED BY LAST OUNCE OF COURAGE. FOR MORE INFORMATION PLEASE VISIT LAST OUNCE THE MOVIE.DOT.COM OR CALL 419/777-8263. GOODBYE.
(PLAYS ON HANG-UP IF NO RESPONSE IS GIVEN)

15.

THIS WAS A PUBLIC SURVEY CALL. WE MAY CALL BACK LATER. (PLAYS IF WE GET AN ANSWERING DEVICE)

(ccAdvertising000063-ccAdvertising000066.)

22. On September 4, 2012, Joseph emailed the above-noted script draft to Griffin and Brewer and asked them to review the script and get back with any comments ASAP. (ccAdvertising000062.)

23. Huckabee recorded the script on September 4, 2012, using his own voice, and he knew that this recording would be played for telemarketing purposes during telephone calls to consumers. (ccAdvertising0000364, ccAdvertising0000369.)

24. Promoting Huckabee's radio show was not the primary purpose of the Last Ounce of Courage AIC campaign, as demonstrated by an August 31, 2012 email from Joseph to Griffin—prior to securing Huckabee's commitment to participate—in which Joseph stated, “[w]e need to start our ‘Artificial Intelligence Call’ (AIC) calls with our without a Celebrity Voice.” (ccAdvertising000387.)

25. On September 5, 2012, less than two hours after learning that Huckabee had recorded the script, Griffin sent Joseph an email stating “i need review the call,” and upon information and belief, Griffin reviewed it shortly thereafter and had the power to exert control over the content of the message and other aspects of the call. (ccAdvertising000364; Griffin Dep. at 98.)

26. On September 5, 2012, Joseph sent Brewer an email requesting the following information from Brewer for targeting: cities and states where the most theatres would be showing the movie, each in descending order. (ccAdvertising000352- ccAdvertising000353.)

27. On September 5, 2012, Brewer, using bob.brewer@sixdi.com, emailed Joseph, stating “Let's go. The Huckabee AIC call is approved.” (ccAdvertising000353.)

28. On September 6, 2012, Joseph sent Dr. Jim a test call of Huckabee call for Last Ounce of Courage. (ccAdvertising000325.)

29. Dr. Jim liked the Huckabee call but wanted the script to be shorter, to go from Segment 2 to Segment 5, and to skip the questions in between, because Dr. Jim “was anxious to get people to the movie permission segment.” (ccAdvertising000354.)

30. Joseph made the changes Dr. Jim directed. (ccAdvertising000354.)

31. In a September 7, 2012 email from ccAdvertising to Griffin and Brewer, ccAdvertising provided Griffin and Brewer with a login and password for a secure information data directory so that they could access summary reports as to the Huckabee calls that had been made, including (a) the percentage of homes reaching live respondents or answering devices, (b) client call status, showing how each call was registered by major category, (c) client segment status, showing by percentage levels how each live respondent that answered questions answered each question, and (d) client response rate, showing composite percentages of how many “Yes” or “No” questions were answered and by how many respondents. (VERITAS000103-VERITAS000104.)

32. Neither Griffin nor anyone from Veritas Marketing ever logged on to ccAdvertising’s secure data directory. (Griffin Dep. at 116.)

33. Initially, ccAdvertising invoiced SixDi for its work on the Last Ounce of Courage campaign. (ccadvertising000390.)

34. Later, ccAdvertising’s invoices, including Invoice # 4065, were sent to Griffin’s attention and identified “Veritas Entertainment” in the bill-to section. (ccAdvertising000325, ccAdvertising000392.)

35. ccAdvertising charged and was paid \$248,500 by Veritas Entertainment or Veritas Marketing for the 4 million AIC calls to residential telephone numbers and \$30,000 for the 30 million Email to Text Messages to cell phones, receiving \$100,000 wire transfers on September 6 or 7, 2012, and September 14, 2012, and the final \$78,500 during the first week of October, 2012. (ccAdvertising000323-ccAdvertising000325, ccAdvertising000357.)

36. In a September 14, 2012 email concerning payments, Joseph requested a reply email as to when Joseph could expect the next \$100,000 payment on the balance due, threatened to shut down the Huckabee AIC campaign if he did not hear from Griffin that morning, and stated, "please let me know if I need to engage Dr. Jim in this to make sure he has provided you the monies you need to pay ccAdvertising." (ccAdvertising000340.)

37. On September 10 and 12, 2012, using telephone number 202-769-1087, ccAdvertising initiated telephone calls to the Golans' residential telephone line, using Huckabee's pre-recorded to deliver a message to advertise the commercial availability or quality of goods or services, i.e., to encourage the Golans to go see Last Ounce of Courage.

38. The Golans received two of the Huckabee calls, with language from Segment 15 of the above-noted script left on their answering machine.

39. The name that showed up on the Golans' caller ID corresponding to 202-769-1087 was "2012FREERSRCH," which was misleading, because these were commercial calls rather than research calls, as suggested by the use of "RSRCH."

40. After the Huckabee calls to 4 million homes were made, ccAdvertising created a "Survey Questionnaire" in which it identified one purpose for the "survey": "to identify respondents . . . who are interested in hearing more information about the movie 'Last Ounce of Courage.'" (ccAdvertising000213-ccAdvertising000216.)

41. According to ccAdvertising's "Survey Questionnaire," "1,018,609 live responses were detected" and regardless of whether recipients of the calls answered yes or no to Questions 1 and 2 in the script, so long as they did not hang up, they were

subjected to Question 3 in which Huckabee recommended that the recipients see Last Ounce of Courage. (ccAdvertising000213, ccAdvertising000214)

42. Joseph and ccAdvertising obtained the telephone numbers called from a database purchased at least a decade ago from Axiom Corporation, which provided White Pages data in digital format. (Joseph Dep. at 21-24.)

43. None of the persons called had indicated to any defendant (or anyone else) a desire to receive telephone calls promoting Last Ounce of Courage.

The TCPA and Missouri's Do Not Call Law.

44. The TCPA prohibits certain pre-recorded calls. Section 227 of the TCPA, under its “[r]estrictions on use of automated telephone equipment,” provides that it shall be unlawful for any person “to initiate any telephone call to any residential telephone line using an artificial or prerecorded voice to deliver a message without the prior express consent of the called party, unless the call is initiated for emergency purposes or is exempted by rule or order by the Commission under paragraph (2)(B).” 47 U.S.C. § 227(b)(1)(B).

45. Similarly, Section 407.1107.3(1)-(3) of Missouri's Do Not Call Law allows any person who has received more than one telephone solicitation within any twelve-month period by or on behalf of the same person or entity in violation of Missouri's Do Not Call Law to bring an action to enjoin such violation, to receive up to \$5,000 in damages for each such knowing violation, or both. Mo. Rev. Stat. § 407.1107.3(1)-(3).

46. “Class certification is normal in litigation under § 227, because the main questions . . . are common to all recipients.” *Holtzman, v. Turza*, Nos. 11-3188 & 11-3746., 2013 WL 4506176 (7th Cir. Aug. 26, 2013). For this reason, numerous TCPA

class actions have been certified.² Likewise, the main questions that arise in cases under Missouri's Do Not Call Law are also common to all recipients. Similar to *Holtzman*, the main questions in this case (see below) are common to the class members.

47. All prerequisites of Rule 52.08 have been met.

48. Numerosity. Defendants Veritas Entertainment and Veritas Marketing admit that "a minimum of 8,760 people received telephone calls to residential numbers that promoted the movie Last Ounce of Courage" and other discovery revealed that approximately 4 million calls were initiated or made as part of the telephone campaign. "Class certifications have been upheld where the class is composed of 100 or even less." *Dale v. DaimlerChrysler Corp.*, 204 S.W.3d 151, 168 (Mo. Ct. App. W.D. 2006) (citing cases in which 18, 19, 25, 51, 72, 92 class members were sufficient). Numerosity is satisfied and joinder is impracticable given the huge number of class members. See Mo. S. Ct. R. 52.08(a)(1).

49. Common Questions Predominate. There exist common questions of law or fact, which predominate over any individual questions, such as

² *Meyer v. Portfolio Recovery Assocs., LLC*, 696 F.3d 943 (9th Cir. 2012); *Balbarin v. North Star Capital Acquisition, LLC*, No. 2010 C 1846, 2011 U.S. Dist. LEXIS 686 (N.D. Ill. Jan. 5, 2011); *Mitchem v. Ill. Collection Serv., Inc.*, 271 F.R.D. 617, 619 (N.D. Ill. 2011); *Lozano v. 20th Century Fox Film Corp.*, No. 09-6344 (N.D. Ill. Nov. 17, 2012); *Sadowski v. Med1 Online, LLC*, No. 07 C 2973, 2008 U.S. Dist. LEXIS 41766 (N.D. Ill., May 27, 2008); *Hinman v. M & M Rental Ctr., Inc.*, 545 F. Supp. 2d 802, 804 (N.D. Ill. 2008); *Travel 100 Group, Inc. v. Empire Cooler Serv., Inc.*, No. 03 CH 14510, 2004 WL 3105679 (Cir. Ct. Cook Cty., Ill. Oct. 19, 2004); *Kavu, Inc. v. Omnipak Corp.*, 246 F.R.D. 642 (W.D. Wash. 2007); *Lampkin v. GGH, Inc.*, 146 P.3d 847 (Okla. Ct. App. 2006); *Display S., Inc. v. Express Computer Supply, Inc.*, 961 So. 2d 451 (La. App. 1st Cir. 2007); *Display S., Inc. v. Graphics House Sports Promotions, Inc.*, 992 So. 2d 510 (La. App. 1st Cir. 2008); *ESI Ergonomic Solutions, LLC v. United Artists Theatre Circuit, Inc.*, 203 Ariz. (App.) 94, 50 P.3d 844 (2002); *Core Funding Group, LLC v. Young*, 792 N.E.2d 547 (Ind. App. 2003); *Nicholson v. Hooters of Augusta, Inc.*, 537 S.E.2d 468 (Ga. Ct. App. 2000); *Silbaugh v. Viking Magazine Servs.*, 278 F.R.D. 389 (N.D. Ohio 2012).

- a. whether Defendants initiated telephone calls using an artificial or prerecorded voice to deliver a message to residential telephone lines;
- b. whether Defendants calls were made for commercial purposes;
- c. whether Defendants' calls constituted an "unsolicited advertisement" under the TCPA;
- d. whether Defendants willfully or knowingly violated the TCPA;
- e. whether Defendants knowingly violated Missouri's Do Not Call Law;
- f. whether Defendants' calls constituted a "telephone solicitation" under Missouri's Do Not Call Law and the TCPA;
- g. whether the Golans and the Class and Subclass are entitled to damages, and, if so, how much; and
- h. whether the Golans and the Class and Subclass are entitled to injunctive relief.

The Class and Sub-Class definitions ensures that the class members have identical claims, both factually and legally, and that there are common defenses available to Defendants for each class member. *See* Mo. S. Ct. R. 52.08(a)(2).

50. Typicality. Similarly, Plaintiffs' claims are typical of the other class members. All of the claims are based upon a substantially identical set of facts and circumstances. *See* Mo. S. Ct. R. 52.08(a)(3). Plaintiffs, like the other class members, received the Huckabee Calls on their home phones after ccAdvertising obtained their number from some party other than Plaintiffs, directly, as to the subject matter of the telemarketing call. The prerecorded voice message was based on a script recorded by Huckabee.

51. Adequacy. Plaintiffs and their counsel will fairly and adequately protect the interests of the class. Plaintiffs' interests in this litigation are aligned with those of the class, and they have hired counsel experienced in class action and consumer litigation. *See* Mo. S. Ct. R. 52.08(a)(4). Plaintiffs' counsel have filed at least a dozen class action lawsuits since January 2012, are in the process of settling some of them, and have two class actions on appeal. Plaintiffs' counsel have also successfully defended consumer class actions in state and federal courts. *See, e.g., Hargis v. JLB Corp.*, 357 S.W.3d 574 (Mo. banc 2011); *Sakalowski v. Metron Servs., Inc.*, No. 4:10-CV-02052 AGF (E.D.Mo. 2011). Plaintiffs' counsel, each of whom are former judicial law clerks, have achieved Martindale-Hubbell® Peer Review Ratings™ of AV® Preeminent™.

52. Defendants' Actions Applicable Generally. Defendants have acted or failed to act on grounds generally applicable to each class member, and it is these generalized actions around which this case revolves. Defendants caused each class member to be called on their residential telephones using an autodialer and/or artificial/prerecorded voice message and for the Sub-Class called Missourians at least twice in twelve months despite their no-call-list registrations. Class-wide injunctive relief under Section 227(b)(3)(A) of the TCPA, and under Section 407.1107.3(2) and (3) of Missouri's Do Not Call Law, along with corresponding declaratory relief, is therefore appropriate. *See* Mo. S. Ct. R. 52.08(b)(2). All class members would benefit from the cessation of these annoying calls. *Soppet v. Enhanced Recovery Co.*, 679 F.3d 637, 638 (7th Cir. 2012), *Meyer*, 696 F.3d 943.

53. Superiority. It is desirable to have this case litigated as a class action because the class mechanism is superior to individual actions. Plaintiffs are not aware of any other cases alleging similar facts against Defendants, likely because most other

members of the class are not aware that their rights have been violated. Further, a class action is necessary to determine that Defendants' conduct is a violation of law and to redress the class members' statutory damages. Mo. S. Ct. R. 52.08(b)(3). The issue of whether Defendants' messages complied with the TCPA and Missouri's Do Not Call Law predominates over any individual issues that may arise.

54. Because the prerequisites of Rule 52.08 (a)-(b) are satisfied, this Court should certify the two classes. Plaintiffs request that the Court permit a supplemental motion or memorandum after further discovery is taken from the new defendants.

WHEREFORE, Plaintiffs Ron and Dorit Golan requests that this Court certify this case as a class action as to the Class and Sub-Class defined herein, appoint them as class representatives, appoint Ronald J. Eisenberg and Robert Schultz of Schultz & Associates LLP as class counsel, and grant them any additional relief deemed proper.

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CERTIFICATE OF SERVICE

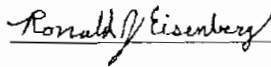
I certify that a true and correct copy of the above and foregoing was served this 4th day of December, 2013, by U.S. Mail to the following:

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**IN THE MISSOURI CIRCUIT COURT
FOR THE TWENTY-FIRST JUDICIAL CIRCUIT
ST. LOUIS COUNTY**

JAMES ARMBRUSTER, RON GOLAN, and DORIT GOLAN

VS.

VERITAS ENTERTAINMENT, LLC, et al.

Case No. 12SL-CC03771

DEPOSITION OF STEPHEN GRIFFIN

***** CONFIDENTIAL *****

SEPTEMBER 4, 2013

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1 Q. And how many -- is it a movie maker?
 2 A. It makes, yeah, films and
 3 documentaries.
 4 Q. I guess a documentary is a movie too,
 5 isn't it?
 6 A. If it's 40 minutes or longer, it's a
 7 feature documentary. If it's 40 minutes or
 8 under, it's a documentary short.
 9 Q. How many movies has Veritas
 10 Entertainment made?
 11 A. One.
 12 Q. Was that the Last Ounce of Courage?
 13 A. Yes.
 14 Q. And then Veritas Marketing, what
 15 business is it in?
 16 A. Veritas Marketing Group is a company
 17 to market theatrical releases into traditional
 18 channels of normal traditional theaters.
 19 Q. And how many movies has Veritas
 20 Marketing helped market?
 21 A. One.
 22 Q. Last Ounce of Courage?
 23 A. Correct.
 24 Q. Veritas Entertainment, are there any
 25 new movies being made on the horizon?

Page 11

1 Q. That's what I meant. The Last Ounce
 2 of Courage, it was released to the theaters in
 3 September of last year. How long was it in
 4 the theaters?
 5 A. Approximately three weeks. In some
 6 cases, longer. Small theaters might have kept
 7 it five weeks. But on average it was
 8 virtually in all the 1470 theaters in two to
 9 three weeks.
 10 Q. And after -- is it out of all the
 11 theaters now?
 12 A. Yes.
 13 Q. Is Veritas Entertainment going to
 14 release Last Ounce of Courage to television or
 15 cable outlets?
 16 A. That's not our decision. It's
 17 Veritas Entertainment. That would be the
 18 decision of the group that owns the film.
 19 Q. Oh, I see, okay. Who owns the film
 20 Last Ounce of Courage?
 21 A. That film is owned by an LLC called
 22 Courage 2012.
 23 Q. And do you hold a position with
 24 Courage 2012?
 25 A. I do not.

Page 10

1 A. There are no new movies --
 2 Q. At this time?
 3 A. There are no movies at this time.
 4 Q. And Veritas Marketing, is it working
 5 on promoting any movies at this time?
 6 A. It is not.
 7 Q. Now, Last Ounce of Courage, that was
 8 released, what, the fall of last year?
 9 A. September 14th, 2012. I remember
 10 that date because it is my birthday.
 11 Q. Did you pick that date?
 12 A. My birthday, no.
 13 Q. No, I meant the date, did you pick
 14 September 14th to be the date you would
 15 release Last Ounce of Courage or was it a
 16 coincidence?
 17 A. I don't understand the question.
 18 Q. Oh, as I understood your testimony,
 19 you had mentioned that Last Ounce of Courage
 20 was released to the theaters on
 21 September 14th, 2012?
 22 A. Yes.
 23 Q. And then you also mentioned that
 24 happened to be your birthday?
 25 A. That was coincidence.

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1 Q. Have you ever?
 2 A. I have not.
 3 Q. Do you have an ownership interest?
 4 A. Veritas Entertainment has an
 5 ownership interest.
 6 Q. Did Veritas Entertainment initially
 7 own the movie Last Ounce of Courage?
 8 A. Veritas Entertainment initially owned
 9 a percentage of the movie.
 10 Q. I see. Has that percentage changed
 11 over time?
 12 A. It has.
 13 Q. Who initially owned the movie Last
 14 Ounce of Courage and what were their ownership
 15 interests?
 16 A. The film was originally started and
 17 owned by the LLC called Eastern Gate.
 18 Q. And did you hold a position with
 19 Eastern Gate?
 20 A. I did not.
 21 Q. How did you get involved in Last
 22 Ounce of Courage?
 23 A. Eastern Gate had started the film.
 24 In the words of film making it was a
 25 catastrophe. And they asked our company to

3 (Pages 9 to 12)

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1 come alongside and fix the film, which we did
2 so, provided the capital to do so for an
3 equity interest in the picture.

4 **Q. How much money did you or your**
5 **associate entities end up putting into the**
6 **movie?**

7 A. Approximately 750 to \$900,000.

8 **Q. Less than a million?**

9 A. Yes.

10 **Q. And then how much of the film did you**
11 **and your associated entities own after putting**
12 **that in?**

13 A. Forty-nine percent.

14 **Q. Then what happened to change the**
15 **ownership interest?**

16 A. The ownership changed when the film
17 was complete. That's always the first phase
18 of the film. Are you familiar with movies and
19 marketing?

20 **Q. No.**

21 A. Then I will educate.

22 **Q. Thank you.**

23 A. When you have a film, it's great you
24 made the film. Then you have to go take it to
25 the market. And that's the most expensive

Page 15

1 paid for the success or failure of the movie.
2 That guy gets paid back, the group gets paid
3 back first. Or, you could take a equity
4 position in the film and get paid back
5 alongside everyone else if there's any profits
6 in the film.

7 Mission City Management made an
8 investment of ten million dollars to market
9 the picture and they decided that of the two
10 alternatives to take an equity position in the
11 formation of a new LLC Courage 2012, which I
12 referred to a few minutes ago. At that time,
13 our ownership in Veritas Entertainment went
14 from 49 percent to 14.7 percent.

15 **Q. And Courage 2012, how much do they**
16 **have?**

17 A. I think about 66 percent.

18 **Q. And is that the ownership interest as**
19 **of today?**

20 A. The ownership interest as of today is
21 Eastern Gate has 15 percent and some change,
22 we have 14 and some change, and the balance
23 would be the Mission City Management.

24 **Q. And who are the owners of Mission**
25 **City Management?**

Page 14

1 proposition for most films.

2 **Q. Getting it to the theaters?**

3 A. Getting it to the theaters and
4 promote it so that people go to the theaters.
5 We were seeking what is called a print and
6 advertising fund. It's called P and A. P:
7 Print. A: Advertising. And that's a
8 traditional way to market film. So you have
9 to then raise a P and A fund to market the
10 movies. We were seeking 12 million dollars to
11 market the movie in theaters. The film only
12 had hard physical cost of about four and a
13 half, five million dollars all in. And that's
14 trade services, cash. So five million dollar
15 film, ten to 12 million dollars to market the
16 film. And we were seeking 12 million dollars
17 in P and A.

18 We searched for a year plus to no
19 success. We found a group that fell in love
20 with the film and they were interested in
21 providing the P and A to market the film. And
22 there's two ways to provide P and A funds.
23 The first way is to say you're the last
24 dollars in and the first dollars out. So it's
25 like you put the money in before anyone gets

Page 16

1 A. I'm not sure of all the owners of
2 Mission City Management.

3 **Q. Do you know some of them?**

4 A. James Leininger is one of the owners
5 of that. I'm not sure who the other owners
6 are.

7 **Q. Is that Dr. James Leininger?**

8 A. I believe that's the same person.

9 **Q. Is he a medical doctor?**

10 A. Yes.

11 **Q. Does he also, aside from being one of**
12 **the owners in Mission City Management, is he**
13 **also involved in its operations? He is not a**
14 **passive investor, I guess is what I'm saying?**

15 A. In which company?

16 **Q. Oh, in Mission City.**

17 A. I have no idea.

18 **Q. How did Veritas Entertainment get in**
19 **contact with CC Advertising, do you know?**

20 A. Yes.

21 **Q. You know, sometimes I'm going to ask**
22 **you a question, you may not know the answer.**

23 A. I would tell you I don't. I knew the
24 answer to that one.

25 **Q. Okay.**

4 (Pages 13 to 16)

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1 A. We were introduced to Gabe Joseph and
 2 CC Advertising. Or I was. When I say we, I
 3 was by Jim Leininger. Jim had done business
 4 with Gabe in the past in some other issues. I
 5 have no specificity of what those were. But
 6 Jim said, "If you're ever in the DC area, you
 7 ought to look up this gentleman, Gabe Joseph."
 8 Q. And do you remember when you looked
 9 up -- how did you meet Mr. Joseph?
 10 A. I was in DC for another meeting,
 11 which is where Mr. Joseph's company was
 12 headquartered. I don't know if it's still
 13 headquartered there or not. So I placed a
 14 phone call and said, "I have been told that I
 15 should meet you. I'm not really sure what you
 16 do." But when you're in the business that I'm
 17 in, you never meet a stranger and you always
 18 try to make friends. So I went and met with
 19 him while I was on other business in DC.
 20 Q. You remember what year this was?
 21 A. It had to be 2012.
 22 Q. When you met with Mr. Joseph
 23 initially, did you think he would be able to
 24 provide you any services with regard to your
 25 movie making?

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1 of the movie, which I had screener copies of
 2 the movie going out to anyone who would watch
 3 it. Mr. Joseph watched the movie and
 4 responded back that he felt there was an
 5 opportunity that could be beneficial to our
 6 company.
 7 Q. And then what was the steps that --
 8 well, let me ask you: Did Veritas
 9 Entertainment end up contracting with
 10 Mr. Joseph's company for his company to do
 11 some work to help the movie?
 12 A. He did not.
 13 Q. Tell me what happened next with
 14 regard to, and we can call Mr. Joseph's
 15 company or we can call it -- what did you call
 16 it? What do you call Mr. Joseph's company?
 17 A. Well, I just call it Gabe's company
 18 but let's be clear for the record it was Gabe
 19 Joseph, Gabe's company, CC Advertising is what
 20 he called it. I never could understand why it
 21 was called CC Advertising. So I couldn't
 22 recall that very clearly at the time. So I
 23 frequently referred to it as Gabe's company.
 24 Q. Did there come a time when Gabe's
 25 company provided any services to Veritas

Page 18

1 A. I did not.
 2 Q. So this was just -- and you say
 3 Mr. Montague was the one who suggested you
 4 might meet with him some time?
 5 A. Mr. Leininger.
 6 Q. Mr. Leininger?
 7 A. Um-hum.
 8 Q. Excuse me, Dr. Leininger. And how do
 9 you spell Dr. Leininger? This young lady has
 10 to take it down.
 11 A. I believe it's spelled
 12 L-E-I-N-I-N-G-E-R, but I frequently misspell
 13 it, so I'm not certain of my spelling.
 14 Q. Well, I think I have some e-mails.
 15 We'll check and see.
 16 A. I think I got it right.
 17 Q. Okay, you met with Mr. Joseph. At
 18 what point did you begin to think that maybe
 19 his company could provide some services with
 20 regard to the movie Last Ounce of Courage?
 21 A. I did not. He made his typical, I
 22 would call pitch, Power Point pitch in his
 23 office. He is a political research company
 24 that's political marketing. And I did not see
 25 a connection. I did offer to send him a copy

Page 20

1 Entertainment?
 2 A. Gabe made an offer to me after
 3 reviewing the film: If you wanted to make
 4 political actions calls around the topic of
 5 religious liberty and religious freedom, which
 6 was the theme of our movie. And he also
 7 talked about wanting to work with one of his
 8 largest, I'm not sure if it's a client or
 9 customer or what, but Mike Huckabee. And that
 10 he wanted to know if we would consider
 11 sponsoring those calls. And so I didn't
 12 understand what that meant "sponsorship of a
 13 call". It basically meant that we paid for
 14 those political research calls to be made.
 15 And that was his proposal to me after watching
 16 the film.
 17 Q. And did Veritas Entertainment end up
 18 agreeing to Mr. Joseph's proposal?
 19 A. I need to correct the record if I can
 20 first.
 21 Q. You sure can.
 22 A. You refer to Veritas Entertainment.
 23 Q. I am.
 24 A. And Mr. Joseph kept calling it
 25 Veritas Entertainment. Veritas Entertainment

5 (Pages 17 to 20)

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1 nothing to do with Mr. Joseph's company. For
2 mission-based marketing. If we built an engine
3 around a theme that said take a stand for, and
4 it could be religious liberty, it could be
5 against racial inequality, it could be about
6 abuse of women. Depending on what the theme
7 of our movies were in the future, we wanted to
8 build a home that we could promote those
9 things and have people take a stand.

10 So we named it StandUSA. And it was
11 in support of the movie, but it was designed
12 as the wholly-owned subsidiary of Veritas
13 Marketing because Veritas Entertainment makes
14 those kinds of movies but did not market them.
15 That's not what they do. So that's what
16 StandUSA was. It was an extension of what
17 was, not just a website for the movie, but a
18 place that people could congregate, come
19 together, talk about those issues that were
20 important to them as it related to either
21 family, faith or freedom or courage, character
22 and conviction.

23 Q. Was StandUSA a separate company or
24 was it just an idle business engaged in by
25 Veritas Marketing?

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1 A. It was a stand-alone LLC that was
2 owned by Veritas Marketing so that we would
3 not confuse the issue. And if someone else
4 wanted to have a picture or a cause associated
5 with it, it would not be a, quote, movie
6 marketing company.

7 Q. Did StandUSA have anything to do with
8 Mr. Joseph and his work?

9 A. There were no employees of StandUSA.
10 It would be nothing that would have that stand
11 out.

12 Q. Does Veritas Marketing have any
13 insurance that could cover this claim?

14 A. We do not.

15 Q. And you previously testified to your
16 level of familiarity with the Telephone
17 Consumer Protection Act as of summer 2012.

18 A. Yes, but I would add to.

19 Q. Please.

20 A. The only education that I would have
21 received over and above my consumer awareness
22 would be when Mr. Joseph presented this
23 company and how they fully complied and
24 explained to me. So I would have no knowledge
25 nor did I know about that when you make a

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1 political research call or political call of
2 any nature there had to be this thing called
3 opt in to make those statements so that you
4 comply with the law. That was my, I'll call
5 it master's level course, if you will, only
6 what Mr. Joseph provided.

7 Q. And with regard to the national
8 do-not-call registry, you understand there are
9 some people who are on the registry that
10 they're not supposed to be called for wider
11 purposes. Is that your understanding what the
12 do-not-call registry means?

13 MR. ROTHMAN: Objection to form.

14 A. I don't really know who is on it or
15 who is not on it. I just know that if you
16 wanted your number, whether it's a cell phone
17 or whether it's your residence not to be on
18 the list, you can register it with some entity
19 somewhere.

20 Q. Is that the level of your knowledge
21 of the do-not-call list?

22 A. It is.

23 Q. And Mr. Joseph assured you that his
24 work for Veritas Marketing would comply with
25 TCPA and the national do-not-call list?

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1 A. Absolutely.

2 Q. Has any company you have been
3 affiliated with that you're aware of had any
4 other lawsuit alleging a TCPA violation?

5 A. Not to my knowledge.

6 Q. Did Mr. Joseph tell you how he was
7 going to make these calls?

8 A. He did not.

9 Q. How many business e-mail addresses do
10 you have?

11 A. Two.

12 Q. What are they?

13 A. They're sgriffin@veritashq.com and
14 stevegriffin@me.com.

15 Q. At me dot com?

16 A. It's a Mac computer e-mail address.
17 It's me, Mac, iCloud, just M-E.

18 Q. And the sgriffin@veritashq.com, do
19 you use that for Veritas Entertainment work
20 and Veritas Marketing work?

21 A. I do. HQ stands for headquarters.

22 Q. Did Mr. Joseph report to you daily
23 once he started -- his company started making
24 all these calls?

25 A. He did not.

15 (Pages 57 to 60)

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1 don't have a great specificity on that because
 2 I was in New York City and had a slammed
 3 couple of days.
 4 Q. So an attempt was made to call your
 5 mobile number with the Huckabee call, but for
 6 technical reasons, you don't think it actually
 7 successfully occurred with your mobile phone?
 8 A. If I had a recollection.
 9 Q. Go ahead.
 10 A. It's because I didn't recognize the
 11 number the first couple of times and just
 12 didn't answer it. And then I got busy because
 13 I generally don't answer numbers if I don't
 14 know who is calling me.
 15 Q. So you don't think just because of
 16 the explanation you have given, you don't
 17 think you actually accepted or participated in
 18 the Huckabee call, the test call that was made
 19 to you?
 20 A. To the best of my knowledge, I did
 21 not.
 22 Q. I understand. And then --
 23 A. But I'm acknowledging that an attempt
 24 was made.
 25 Q. Yes, sir. And then the lower half of

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1 liberty.
 2 Q. Now, the bottom third of the first
 3 page of Exhibit 17, that's an e-mail from
 4 Mr. Joseph to you and Bob Brewer.
 5 A. Right. It appears because it says,
 6 Dear Bob and Steve.
 7 MR. ROTHMAN: Right, so, I'm
 8 sorry, ask the question again because I think.
 9 Q. Sure. The e-mail that's at the
 10 bottom fourth of that first page of Exhibit 17
 11 is an e-mail from Mr. Joseph to you and
 12 Mr. Brewer.
 13 A. Yes.
 14 Q. And without giving me the specifics,
 15 do you know what was redacted here in that
 16 e-mail? I'm trying to figure out what the big
 17 deal was. I got to tell you, Mr. Griffin, in
 18 Missouri, I'm not used to seeing things
 19 redacted this way. I'm not saying it's better
 20 or worse. I'm just saying normally in
 21 Missouri you'll have attorney/client stuff
 22 redacted or maybe like the formula for
 23 Coca-Cola but, you know, these e-mails that
 24 you and I are going through, almost every page
 25 has something redacted. I'm just trying to

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1 the first page of Exhibit 17 is an e-mail from
 2 you to Mr. Joseph saying you need -- you want
 3 to review the call. And referencing that you
 4 were in New York City that day.
 5 A. And, again, I don't think that's
 6 quite -- looks like it was typed on my iPhone.
 7 It doesn't look like it was very, I'm not sure
 8 what I meant by review the call. It could
 9 have been some of the words on the iPhone get
 10 messed up. I was basically trying to say I'm
 11 in New York today. I don't have time to look
 12 at anything.
 13 Q. Do you know who from Veritas
 14 Marketing actually reviewed or received, I
 15 guess is a better way of putting it, the
 16 Huckabee call before the campaign went into
 17 effect?
 18 A. You know, it was not important to me
 19 that we reviewed it, so it would have been
 20 myself or Lisa Johnson. And I don't think she
 21 was called as well because it was, it was his
 22 calls. We were sponsoring his calls. So to
 23 me it didn't matter. I had bigger things to
 24 do than listen to a prerecorded call of some
 25 questions that he was asking about religious

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1 figure out what is the topic that's being
 2 redacted to get an idea.
 3 A. I don't have any idea.
 4 Q. Neither do I.
 5 A. The only time I have seen redactions
 6 is in government documents or something.
 7 Q. That too, I have seen that also.
 8 A. My legal counsel, they redacted.
 9 Q. I'm not being critical. I'm just
 10 trying to figure out the importance of it or
 11 whether I got to figure out what it is.
 12 MR. ROTHMAN: Why don't you ask
 13 him if it had anything to do with the
 14 prerecorded calls?
 15 Q. Yeah, did those redactions have
 16 anything to do with the prerecorded calls that
 17 are at issue in this case?
 18 A. I don't believe they did.
 19 Q. Do you think they had something to do
 20 with Mr. Joseph's proposal that mobile phones
 21 be called?
 22 A. I don't recall.
 23 Q. Mr. Griffin, Exhibit 20 is a little
 24 bit thicker than what we have talked about
 25 previously.

25 (Pages 97 to 100)

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1 Q. Would you look at the report?
 2 A. I didn't know the report existed
 3 until my attorneys pointed it out to me
 4 because I didn't know who Caitlin Clancy was
 5 and it was right after the movie opened. It
 6 was a terrible opening weekend. And so I
 7 didn't read that e-mail. And then they said I
 8 received information, I accused my attorneys
 9 of having lost their mind. And they pointed
 10 out that I got it. I tried to open the file
 11 up. At that point I did well after this
 12 process with your clients.
 13 Q. You mean after the lawsuit was filed?
 14 A. Right, I had no idea it existed and I
 15 did not open it. I have subsequently opened
 16 it.
 17 Q. I understand. Let me hand you what's
 18 marked as Exhibit 27. Exhibit 27 is another
 19 e-mail from Ms. Clancy to you?
 20 A. Well, this is the same. I mean, it's
 21 a different e-mail. One is just saying I sent
 22 over a file.
 23 Q. Right.
 24 A. This is the e-mail that I was
 25 responding to that had the data in it. The

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1 on the second page what this report was
 2 suggesting is that Mr. Joseph called or
 3 reported four million people and 379,000 heard
 4 the first question and it declined thereafter.
 5 And then there's some more specificity later.
 6 But the four million that calls were placed,
 7 379,000 is the maximum number that heard the
 8 message.
 9 Q. That listened to it?
 10 A. That listened to the first part of it
 11 at least. And I'm not, there is no key for me
 12 to interpret it. Maybe there was somewhere; I
 13 didn't see it.
 14 Q. It looks like, was the last question
 15 about being over 18? I'm looking over the
 16 script.
 17 A. Right.
 18 Q. It appears --
 19 A. There was a question that says, are
 20 you 18 years or older? It had to be after the
 21 smart phone question, which I recall was
 22 around question eight or nine. And so that
 23 would just tell me speculating that fewer and
 24 fewer people are staying on the line to get
 25 through to the end of the call.

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1 other one is coming in --
 2 Q. It's a past tense.
 3 A. -- six minutes later. And she is
 4 saying, "I sent you a zipped file." So,
 5 again, I don't know who she is.
 6 Q. I'm with you. So Exhibit 27 is an
 7 e-mail from Ms. Clancy to you sent on
 8 September 18th. And while your computer
 9 received that, you didn't open it for months?
 10 A. Months.
 11 Q. And after Ms. Clancy had sent Exhibit
 12 27, she sent you a few minutes later Exhibit
 13 26, I guess reminding you that she had sent it
 14 already?
 15 A. Right.
 16 Q. Thank you. And then Exhibit 27 has
 17 the report, a telephone report on the campaign
 18 that Mr. Joseph carried out?
 19 A. Right. And, again, I will try to
 20 interpret it as best I can if you ask me
 21 questions about it.
 22 Q. I'm not going to ask you. Do you
 23 understand this report very well?
 24 A. Well, yeah, it appears to me, again,
 25 I'm not a smart person, but it appears to me

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1 Q. Gotcha.
 2 A. Are we done with this one?
 3 Q. Yes, sir. Mr. Griffin, take a look
 4 at Exhibit 28. It looks like another e-mail
 5 from Ms. Clancy to you sent on September 7th,
 6 2012?
 7 A. Yes.
 8 Q. And then in this e-mail and also
 9 Mr. Brewer was a recipient?
 10 A. Right.
 11 Q. And in this e-mail at the top of the
 12 first page Exhibit 28, Ms. Clancy says, "Your
 13 campaign Huckabee dash Last Ounce of Courage
 14 will begin on Sunday." Do you see that?
 15 A. I see that.
 16 Q. Then it looks like she is informing
 17 you how you can log on and look at the data
 18 from the survey as it's going on.
 19 A. That's what it appears.
 20 Q. Did you ever log on?
 21 A. I did not.
 22 Q. Do you know if anybody from Veritas
 23 Marketing ever logged on?
 24 A. No one from Veritas Marketing ever
 25 logged on.

29 (Pages 113 to 116)

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1 Q. What about SixDi; do you know if they
2 logged on?
3 A. Could have.
4 Q. I'm just asking.
5 A. No, no, that's a great question.
6 Q. We got through those. Let's see what
7 else I have here to show you.
8 Mr. Griffin, let me hand you what's
9 been previously marked as Exhibit 35, 36, 37
10 and 38. And my first question is going to be:
11 Have you ever seen these documents before?
12 A. I have never seen these documents
13 before.
14 Q. Let me hand you what's been marked as
15 Exhibit 31 and 32 and ask you if you have ever
16 seen these documents before.
17 A. I have not.
18 Q. Mr. Griffin, do you mind if we take a
19 five to ten-minute break? I need to look
20 through this for a second, look at my notes.
21 I'm about done.
22 A. I'm at your disposal. I have blocked
23 the day for you.
24 Q. Thank you very much.
25 (Lunch Recess from 1:20-2:15 p.m.)

1 him at that time?
2 A. We just wanted his reaction to our
3 film as we did Governor Rick Perry and a
4 variety of other people, get their feedback on
5 it since it was -- the topic based on faith,
6 family and freedom. And that was something
7 Governor Huckabee cared deeply about.
8 Q. Is this the only conversation you had
9 with Governor Huckabee?
10 A. The only conversation I have ever had
11 with Governor Huckabee.
12 Q. I think your recollection was it was
13 sometime in the summer of 2012.
14 A. It had to be June to, you know, early
15 June or July.
16 Q. And this conversation you had with
17 him, did you talk to him, show him the movie,
18 then talk to him; is that how it went?
19 A. Talked to him, showed him the movie.
20 He just said it's a great movie. He thought
21 it was a wonderful story. And I left.
22 Q. Was there anyone else present with
23 you other than Governor Huckabee and his wife?
24 A. Dr. Leininger was there. That was
25 the mutual friend that introduced us. He knew

Page 118

Page 120

1 Q. Mr. Griffin, thank you for coming
2 back.
3 A. It's always a pleasure to come see
4 you.
5 Q. A couple quick questions for you.
6 Did you ever have a conversation with Governor
7 Huckabee?
8 A. Yes.
9 Q. Did you have a conversation about
10 this work?
11 A. Did not.
12 Q. When did you -- did the conversation
13 you had with Governor Huckabee occur in the
14 summer or September of 2012?
15 A. Early summer, I had an opportunity to
16 screen the film for him and his wife. That
17 was the extent of it.
18 Q. And was it face-to-face or was it
19 over the telephone?
20 A. It was face-to-face.
21 Q. And was he in Tennessee or was he
22 someplace else?
23 A. He was at his home in Florida.
24 Q. Did you talk to him at that time --
25 what was the gist of your conversation with

1 Governor Huckabee.
2 Q. Okay, well, let's, let me -- in that
3 conversation, did anybody raise the idea of
4 Governor Huckabee doing voice work or
5 advertising work for the movie?
6 A. Did not. It was prior to even
7 meeting Mr. Joseph.
8 Q. I'm looking at some e-mails from Mr.
9 Joseph where he talked about building the
10 opt-in channel. Do you know what the opt-in
11 channel is, was or was meant to be or could
12 have been?
13 A. You have a copy of the e-mail I could
14 look at?
15 Q. Here it is, you can have this one
16 right here. This is from Exhibit 33. And
17 it's Bate numbered ccAdvertising 000007. And
18 it is referenced on this page.
19 A. You know, I looked at this. I don't
20 remember seeing this e-mail, but obviously it
21 was sent to me, but I will read it now. I
22 never understood from Mr. Joseph, and I never
23 had a physical conversation, what the value of
24 the opt-in responses were. I didn't know if I
25 was entitled to do that. So that didn't make

30 (Pages 117 to 120)

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PLANET DEPOS
Court Reporting & Video

Transcript of **GABRIEL JOSEPH**

Date: August 29, 2013

Case: ARMBRUSTER, ETAL. v. VERITAS ENTERTAINMENT, LLC, ET AL.

Planet Depos
Phone: 888-433-3767
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Email: transcripts@planetdepos.com
Internet: www.planetdepos.com

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CONFIDENTIAL DEPOSITION OF GABRIEL JOSEPH
CONDUCTED ON THURSDAY, AUGUST 29, 2013

6 (Pages 21 to 24)

21	<p>1 You need data that we gathered using our systems.</p> <p>2 The only time somebody works with my company, sir,</p> <p>3 is if we can gather data that they can't get</p> <p>4 anywhere else.</p> <p>5 Q Let me ask it this way. Was there a</p> <p>6 written contract between AIC and one of the Veritas</p> <p>7 companies?</p> <p>8 A No. My company works on invoice.</p> <p>9 Q What did -- how do you say it again?</p> <p>10 A Veritas.</p> <p>11 Q Veritas. What did Veritas ask AIC to do?</p> <p>12 A I don't recall.</p> <p>13 Q What did AIC do in response to Veritas'</p> <p>14 request?</p> <p>15 A We drafted an artificial intelligence</p> <p>16 call survey that utilized a celebrity voice to</p> <p>17 gather data on religious freedom and included an</p> <p>18 opt-in question for additional information from the</p> <p>19 respondent if received.</p> <p>20 They retained us to utilize the database</p> <p>21 that we had accumulated over the past 11 years at</p> <p>22 that time, or 12 years at that time, of potentially</p>	23	<p>1 longitude, latitude, housing value, congressional</p> <p>2 district, state house district, state senate</p> <p>3 district, and an estimated income based on AIG.</p> <p>4 Q Based on AIG?</p> <p>5 A Adjusted Gross Income.</p> <p>6 Q AGI?</p> <p>7 A AGI, sorry.</p> <p>8 Q That's all right.</p> <p>9 A Yeah. This is all publicly available</p> <p>10 information that we have accumulated and then put</p> <p>11 into our algorithms.</p> <p>12 Q Let me focus on one aspect of it. Where</p> <p>13 did AIC get the phone numbers?</p> <p>14 A It's a -- our vendor for this is Axiom</p> <p>15 Corporation and we have a contract with them that</p> <p>16 allows us -- that gives us the white pages directory</p> <p>17 in digital format. That was the foundation of --</p> <p>18 and Axiom has been a client of ours for 10 years.</p> <p>19 The actual targeting took place from surveys that we</p> <p>20 had done previously which was our proprietary data</p> <p>21 based on how people had answered the questions.</p> <p>22 Q Now the white page phone numbers, did you</p>
22	<p>1 like-minded people that would be interested in the</p> <p>2 theme of religious freedom, which in the 2012</p> <p>3 elections was a very hot topic.</p> <p>4 The timing of this was good for us in</p> <p>5 regard to gathering more data in anticipation of the</p> <p>6 upcoming elections, where, as you know, there was</p> <p>7 billions of dollars spent trying to make sure that</p> <p>8 the right people turned out to vote.</p> <p>9 Q Let me ask you a little bit about the</p> <p>10 database you used on your Veritas project. Is that</p> <p>11 the right way to refer to it?</p> <p>12 A That's a great way to refer to it.</p> <p>13 Q Okay. For your Veritas project what</p> <p>14 database did AIC use to carry out its tasks?</p> <p>15 A Our database of respondents that over the</p> <p>16 previous 12 years had answered surveys previously</p> <p>17 using an algorithm that said this person would be</p> <p>18 interested in religious freedom based on previously</p> <p>19 answered questions to surveys that we had done.</p> <p>20 I was shooting fish in a barrel. These</p> <p>21 are people who I knew a lot about already. The</p> <p>22 database includes name, address, phone number,</p>	24	<p>1 believe that these were residential phone numbers?</p> <p>2 A Yes. They were only residential phone</p> <p>3 numbers.</p> <p>4 Q Okay. Now I've seen reference in some of</p> <p>5 the documents here to four million numbers called.</p> <p>6 Was the actual number of phone numbers called on the</p> <p>7 Veritas project by AIC, was it four million even or</p> <p>8 was it a little above or below?</p> <p>9 A I don't recall the exact number, but it</p> <p>10 was around that.</p> <p>11 Q We'll get to some of the documents. Like</p> <p>12 I said, the documents seem to say four million even.</p> <p>13 A As you understand, the landline network</p> <p>14 is shrinking.</p> <p>15 Q I understand that.</p> <p>16 A So today I can't tell you what it was.</p> <p>17 Back then every one of the numbers that we had</p> <p>18 targeted with this campaign had answered a survey</p> <p>19 from ccAdvertising sometime during our history, even</p> <p>20 if they were no longer listed in the white pages.</p> <p>21 So our data is our goal. We kept a record of every</p> <p>22 phone number we have called.</p>

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CONFIDENTIAL DEPOSITION OF GABRIEL JOSEPH
CONDUCTED ON THURSDAY, AUGUST 29, 2013

15 (Pages 57 to 60)

57	<p>1 Q Okay.</p> <p>2 A Through the end of this month. Our</p> <p>3 business has decreased substantially.</p> <p>4 Q Looking at Exhibit 8 --</p> <p>5 A I'm sorry. Through the end of September.</p> <p>6 Q Sure. We're almost to September.</p> <p>7 Looking at Exhibit 8, I see in the first</p> <p>8 e-mail you write "It is a blessing to be working</p> <p>9 with you on the Last Ounce of Courage effort." Do</p> <p>10 you see that?</p> <p>11 A Yes.</p> <p>12 Q Is that referencing the Veritas project</p> <p>13 we have been talking about today?</p> <p>14 A Yes.</p> <p>15 Q Okay. And then looking at the second --</p> <p>16 A The effort refers to the data</p> <p>17 accumulation that we're doing.</p> <p>18 Q Okay. And looking at the second e-mail</p> <p>19 in Exhibit 8 I see that you wrote "Thanks for</p> <p>20 working with ccAdvertising on the Last Ounce of</p> <p>21 Courage promotion." Do you see that?</p> <p>22 A Where is that?</p>	59	<p>1 quantitative responses that AIC got in the Veritas</p> <p>2 program.</p> <p>3 A Yes.</p> <p>4 Q Number 1, I see it says 225,577</p> <p>5 respondent homes phones. Is that the number -- what</p> <p>6 does that number represent?</p> <p>7 A Those are phone numbers that answered yes</p> <p>8 or no to one or more questions.</p> <p>9 Q Okay. Now the 225,577, that's the number</p> <p>10 of phone numbers where a respondent answered yes or</p> <p>11 no to something.</p> <p>12 A To one or more questions, right.</p> <p>13 Q Okay. In that 225,577 number were any</p> <p>14 numbers double counted?</p> <p>15 A No.</p> <p>16 Q Okay. So it's not a situation where you</p> <p>17 might have called one number and gotten 100 times</p> <p>18 someone responded.</p> <p>19 A No.</p> <p>20 Q These are 225,577 different numbers.</p> <p>21 A Different numbers.</p> <p>22 Q Okay. If someone had responded in the</p>
58	<p>1 Q On the second e-mail in Exhibit 8, first</p> <p>2 line.</p> <p>3 A Yeah.</p> <p>4 Q So part of the Veritas program was</p> <p>5 intended to promote the movie Last Ounce of Courage?</p> <p>6 A I think that's a misprint by me. It was</p> <p>7 an effort, you know, just to gather data. Our focus</p> <p>8 on this was to gather data.</p> <p>9 Q Now did Veritas want to gather data or</p> <p>10 did they want people to go see their movie?</p> <p>11 MR. ROTHMAN: Objection to form.</p> <p>12 THE WITNESS: Part of what Steve and I</p> <p>13 had discussed was to build a database of people that</p> <p>14 were interested in these types of movies. So the</p> <p>15 focus of what we were doing at the time was a</p> <p>16 long-term project to gather data of people that</p> <p>17 would be, as you can tell from the content,</p> <p>18 interested in the themes of this movie.</p> <p>19 BY MR. SCHULTZ:</p> <p>20 Q Looking at Exhibit 8, the second e-mail</p> <p>21 that begins near the bottom of the first page, it</p> <p>22 looks to me like you are recounting some of the</p>	60	<p>1 Veritas program to a yes or no question of some</p> <p>2 kind, would they be recalled according to your</p> <p>3 program?</p> <p>4 A No.</p> <p>5 Q Okay. Then I'm looking at the bottom of</p> <p>6 the first page of Exhibit 8 where under item 2 it</p> <p>7 says 83,896 opt-in homes to hear about the movie.</p> <p>8 What does that represent?</p> <p>9 A Those were people that said yes to the</p> <p>10 opt-in question that was part of the survey.</p> <p>11 Q And we'll get to the survey. In other</p> <p>12 words, the survey had Mr. Huckabee recording certain</p> <p>13 statements and questions and at various points the</p> <p>14 recipient was given the opportunity to say yes or no</p> <p>15 to something.</p> <p>16 A Yes.</p> <p>17 Q And depending on what he answers to the</p> <p>18 yes or no question, that would dictate where in the</p> <p>19 survey you go.</p> <p>20 A Yes.</p> <p>21 Q Okay. So it's like a decision tree.</p> <p>22 A Yes.</p>

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CONFIDENTIAL DEPOSITION OF GABRIEL JOSEPH
CONDUCTED ON THURSDAY, AUGUST 29, 2013

16 (Pages 61 to 64)

61	<p>1 Q Is that a proper way to look at it? What</p> <p>2 do you call it? When you've got this almost like a</p> <p>3 logical -- it's almost like a computer program.</p> <p>4 A It is. Yes.</p> <p>5 Q With just a recording.</p> <p>6 A I would call it -- a logic tree would be</p> <p>7 a good response.</p> <p>8 Q Okay.</p> <p>9 A That only responds to yes and no</p> <p>10 responses.</p> <p>11 Q Okay.</p> <p>12 A Actually repeat as well. If you wanted</p> <p>13 to hear the question again, we gave you an</p> <p>14 opportunity to hear it.</p> <p>15 Q Sure.</p> <p>16 A Yes, no, and repeat.</p> <p>17 Q And then the 83,896 number, that's the</p> <p>18 number of --</p> <p>19 A Opt-in homes on this survey. All of</p> <p>20 these homes were opt-in homes from previous surveys.</p> <p>21 Q Gotcha. That's the number of phone</p> <p>22 numbers where somebody on the other end of the line</p>	63	<p>1 for us to gather as much data as possible, so we</p> <p>2 did.</p> <p>3 For example, I believe part of the survey</p> <p>4 is that Mr. Huckabee asked if they would like to</p> <p>5 hear the information again about his radio show. So</p> <p>6 that was a repeat question. Since the focus of this</p> <p>7 was a -- and that data accumulation was very</p> <p>8 valuable to Mr. Huckabee's efforts as well.</p> <p>9 Q We talked before how Mr. Huckabee used</p> <p>10 the opportunity to mention his radio show in this</p> <p>11 survey.</p> <p>12 A Several. Every time he could, from the</p> <p>13 beginning to end.</p> <p>14 Q And then depending on where the recipient</p> <p>15 was in the decision tree, at a certain point the</p> <p>16 Huckabee recording also mentioned the movie Last</p> <p>17 Ounce of Courage.</p> <p>18 A Only upon opt-in. I believe the name may</p> <p>19 have been mentioned, but I will have to look at the</p> <p>20 script, to inform the person a little bit about what</p> <p>21 he wanted them to opt in on.</p> <p>22 Q I got the script coming. I'm just going</p>
62	<p>1 said, "I'm interested in the movie."</p> <p>2 A None of these homes were called unless</p> <p>3 people had opted in to receive information from us</p> <p>4 in previous surveys.</p> <p>5 Q Do you know -- we'll get to that in a</p> <p>6 second.</p> <p>7 A Four million.</p> <p>8 Q Okay.</p> <p>9 A And that's part of the record that you</p> <p>10 have.</p> <p>11 Q And then on the next page of Exhibit 8,</p> <p>12 number 3, it says 90,598 homes that have completed</p> <p>13 the entire survey.</p> <p>14 A Answered every question in the survey.</p> <p>15 Got to the end of the survey.</p> <p>16 Q Okay. Now the 90,598, is there any</p> <p>17 overlap between those numbers and the 83,896?</p> <p>18 A Yes. Yes.</p> <p>19 Q And then -- go ahead.</p> <p>20 A Not all of them finished, not even all of</p> <p>21 the 83,000 finished the survey because we asked</p> <p>22 other questions at the end. The point of this was</p>	64	<p>1 through all the papers I was given.</p> <p>2 (Plaintiffs' Exhibit Number 9 was marked</p> <p>3 for identification and was retained by counsel.)</p> <p>4 BY MR. SCHULTZ:</p> <p>5 Q Here is Exhibit 9.</p> <p>6 A Okay.</p> <p>7 Q It looks like Exhibit 9 consists of a</p> <p>8 two-page document with an e-mail from you to</p> <p>9 Mr. Griffin and then an e-mail from Mr. Griffin to</p> <p>10 you and then another e-mail from Mr. Griffin to you.</p> <p>11 Is that what it looks like to you?</p> <p>12 A Yes.</p> <p>13 Q Okay. About two-thirds of the way down</p> <p>14 the first page of Exhibit 9 there is a reference to</p> <p>15 someone called Dr. Jim?</p> <p>16 A Yes.</p> <p>17 Q Who's that?</p> <p>18 A That is a mutual acquaintance that Steve</p> <p>19 and I had that was interested in the film. So Steve</p> <p>20 asked me to send him a test call.</p> <p>21 Q In other words, your program phoned</p> <p>22 Dr. Jim.</p>

From: Gabe Joseph <gjoseph@ccAdvertising.com>
Sent: Tuesday, September 4, 2012 11:17 AM
To: 'Jason Flanary' <jflanary@ccadvertising.com>
Subject: Huckabee Script - September 4, 2012
Attach: HUCKABEE - LAST OUNCE OF COURAGE-12.904.docx; HUCKABEE LAST OUNCE OF COURAGE SURVEY-12.904.spt

Dear Jason:

Current Huckabee script including Word and SPT

Sincerely,

Gabe

Gabriel S Joseph III
President
ccAdvertising
5900 Fort Drive, Suite 302
Centreville, Virginia 20121
Phone: 703/953-3555
Fax: 703/574-8061
Email: gjoseph@ccAdvertising.com

From: Gabe Joseph [mailto:gjoseph@ccAdvertising.com]
Sent: Tuesday, September 04, 2012 10:35 AM
To: 'Bob Brewer'; 'Steve W. Griffin'; 'Steve W Griffin'
Cc: 'Jason Flanary'
Subject: Huckabee Script - September 4, 2012

Dear Bob and Steve:

I heard from David Huckabee this morning. He said Governor Huckabee will record a script for Last Ounce of Courage today. He asked if they could put in some comment about the Governor's radio show. I agreed (because we had talked about that) and we worked out some edits that are included in the revised attached script.

The Governor usually takes some liberties in recording as well. We will make sure we send out final recorded scripts and test calls before we go live with this program.

I am sending this draft to Governor Huckabee to record now as well. Items that we need to know from Veritas and SixDi are:

1. Budget for calls.
2. Redacted
3. Timing of calls.
 - a. I recommend starting this weekend.

Please review the script and get me any comments ASAP. Thanks again for choosing to work with ccAdvertising on this project. We look forward to executing for you. In the meantime, if you have any questions or comments, please do not hesitate to contact me.

Sincerely,

Gabe

Gabriel S Joseph III
President
ccAdvertising
5900 Fort Drive, Suite 302
Centreville, Virginia 20121
Phone: 703/953-3555
Fax: 703/574-8061
Email: gjoseph@ccAdvertising.com

**HUCKABEE RECORDING FOR LAST OUNCE OF COURAGE SURVEY -
SEPTEMBER 4, 2012**

KEY:

Y = YES

N = NO

? = UNDECIDED

S = SKIP

**U = UNKNOWN (DNU MESSAGE PLAYS ONCE AND IF THERE IS NO INTELLIGIBLE RESPONSE
THE CALL TERMINATES.)**

DNU = DID NOT UNDERSTAND MESSAGE

**# = NEXT SEGMENT THAT DISPLAYS UPON RECEIVING A PARTICULAR RESPONSE. FOR
EXAMPLE, Y = 3 MEANS ON YES GO TO SEGMENT 3.**

1 Believe In American Freedom? - (YES, NO)

HELLO THIS IS GOVERNOR MIKE HUCKABEE, WITH A 45-SECOND SURVEY. DO YOU
BELIEVE IN AMERICAN FREEDOM AND LIBERTY?

Y: 2
N: 2
U: 2
DNU1: 12

2 Lost Some of our Rights and Religious Freedoms? - (YES, NO)

THIS SURVEY IS ABOUT AMERICAN FREEDOM AND LIBERTY. EVERY WEEKDAY, I AM ON
THE RADIO TALKING ABOUT LIBERTY, FREEDOM AND VALUES. I INVITE YOU TO LISTEN TO
THE MIKE HUCKABEE RADIO SHOW IN YOUR AREA TO HEAR MORE. ARE YOU, LIKE ME
CONCERNED THAT IN THE LAST 10-YEARS AMERICANS HAVE LOST SOME OF THEIR
RIGHTS AND RELIGIOUS FREEDOM?

Y: 3
N: 3
U: 3
DNU1: 12

3 Agree that Traditional American Values Under Attack? - (YES, NO)

DO YOU AGREE THAT TRADITIONAL AMERICAN VALUES ARE UNDER ATTACK IN MAIN
STREAM MEDIA AND BY OUR GOVERNMENT?

Y: 4
N: 4
U: 4
DNU1: 12

- 4 Want Hollywood to Respect American Values? - (YES, NO)

WOULD YOU LIKE, ME MIKE HUCKABEE, LIKE TO SEE HOLLYWOOD RESPECT AND PROMOTE TRADITIONAL AMERICAN VALUES?

Y: 5
N: 5
U: 5

- 5 Permission to Tell More? - (YES, NO)

I AM AN ENTHUSIASTIC SUPPORTER OF A NEW MOVIE CALLED LAST OUNCE OF COURAGE. IT IS A FILM ABOUT FAITH, FREEDOM, AND TAKING A STAND FOR AMERICAN VALUES. MAY I TELL YOU MORE ABOUT WHY I RECOMMEND THAT YOU AND ALL AMERICANS SEE THE MOVIE LAST OUNCE OF COURAGE? (PLEASE NOTE THAT ONLY "YES" RESPONSES GO TO SEGMENT 6. ALL OTHER RESPONSES GO TO SEGMENT 8)

Y: 6
N: 8
U: 8
DNU1: 12

- 6 Hear Information Again? - (YES, NO)

THANK YOU FOR YOUR INTEREST. LAST OUNCE OF COURAGE OPENS IN THEATERS ON FRIDAY, SEPTEMBER 14TH. LAST OUNCE OF COURAGE WILL INSPIRE YOU AND YOUR LOVED ONES TO CELEBRATE OUR NATION AND THE SACRIFICES MADE TO PROTECT OUR LIBERTIES. IT IS A GREAT STORY ABOUT TAKING A STAND FOR RELIGIOUS FREEDOM. THE FILM IS A TIMELY REMINDER OF ALL THAT IS WORTH DEFENDING IN OUR NATION. EXPERIENCE THE LAST OUNCE OF COURAGE TRAILER AND SEE AUDIENCE REACTIONS AT WWW.DOT.LAST OUNCE THE MOVIE.DOT.COM, THAT'S LAST OUNCE THE MOVIE.DOT.COM. WOULD YOU LIKE TO HEAR THIS INFORMATION AGAIN? (PLEASE NOTE THAT ONLY "YES" RESPONSES GO TO SEGMENT 7. ALL OTHER RESPONSES GO TO SEGMENT 8)

Y: 7
N: 8
U: 8
DNU1: 12

- 7 Information Again. - (PLAY ONLY)

LAST OUNCE OF COURAGE OPENS IN THEATERS ON FRIDAY, SEPTEMBER 14TH. LAST OUNCE OF COURAGE WILL INSPIRE YOU AND YOUR LOVED ONES TO CELEBRATE OUR NATION AND THE SACRIFICES MADE TO PROTECT OUR LIBERTIES. IT IS A GREAT STORY ABOUT TAKING A STAND FOR RELIGIOUS FREEDOM. THE FILM IS A TIMELY REMINDER OF ALL THAT IS WORTH DEFENDING IN OUR NATION. EXPERIENCE THE LAST OUNCE OF COURAGE TRAILER AND SEE AUDIENCE REACTIONS AT WWW.DOT.LAST OUNCE THE MOVIE.DOT.COM, THAT'S LAST OUNCE THE MOVIE.DOT.COM

S: 8

- 8 Smart Phone? - (YES, NO)

THANK YOU FOR YOUR ANSWERS SO FAR. I HAVE A JUST FEW MORE QUESTIONS FOR DEMOGRAPHIC PURPOSES. DO YOU OWN A SMART PHONE?

Y: 9
N: 9
U: 0
DNU1: 13
DNU2: 14

9 Facebook? - (YES, NO)

DO YOU USE FACEBOOK?

Y: 10
N: 10
U: 10

10 18+? - (YES, NO)

ARE YOU 18-YEARS OF AGE OR OLDER?

Y: 11
N: 11
U: 11

11 Thank You. Goodbye. - (PLAY ONLY)

THIS IS GOVERNOR MIKE HUCKABEE. THANK YOU FOR YOU TIME AND VIEWS. I INVITE YOU TO LISTEN TO MY RADIO SHOW, EVERY WEEKDAY ON A STATION IN YOUR AREA AND TO SEE THE MOVIE, LAST OUNCE OF COURAGE IN THEATERS ON SEPTEMBER 14TH. THIS SURVEY WAS SPONSORED BY LAST OUNCE OF COURAGE. FOR MORE INFORMATION PLEASE VISIT LAST OUNCE THE MOVIE DOT COM OR CALL 419/777-8263. GOODBYE.

S: 0

12 DNU - (DNU PROMPT)

PLEASE SAY, YES, NO OR REPEAT NOW. (PROMPTS A YES, NO OR REPEAT RESPONSE)

13 DNU1 - (DNU PROMPT)

THIS SURVEY WILL END WITHOUT A YES, NO OR REPEAT RESPONSE NOW. (WARNS OF SURVEY TERMINATION IF A YES, NO OR REPEAT RESPONSE IS NOT PROVIDED)

14 DNU2 - (DNU PROMPT)

THIS IS GOVERNOR MIKE HUCKABEE. THANK YOU FOR YOU TIME AND VIEWS. I INVITE YOU TO LISTEN TO MY RADIO SHOW, EVERY WEEKDAY ON A STATION IN YOUR AREA AND TO SEE THE MOVIE, LAST OUNCE OF COURAGE IN THEATERS ON SEPTEMBER 14TH. THIS SURVEY WAS SPONSORED BY LAST OUNCE OF COURAGE. FOR MORE INFORMATION PLEASE VISIT LAST OUNCE THE MOVIE DOT COM OR CALL 419/777-8263. GOODBYE.
(PLAYS ON HANG-UP IF NO RESPONSE IS GIVEN)

15 Ans-Device. - (PLAY ONLY)

THIS WAS A PUBLIC SURVEY CALL. WE MAY CALL BACK LATER. (PLAYS IF WE GET AN ANSWERING DEVICE)

S: 0

16 Google Voice Message - (PLAY ONLY)

HELLO. THIS IS GOVERNOR MIKE HUCKABEE. LAST OUNCE OF COURAGE IS A MOVIE ABOUT ORDINARY AMERICANS TAKING A STAND FOR FREEDOM, FAITH, AND OUR TRADITIONAL VALUES. THE MOVIE OPENS NATIONWIDE ON SEPTEMBER 14TH. WATCH A TRAILER AND SEE HOW AUDIENCES ARE REACTING AT WWW.LAST OUNCE THE MOVIE DOT COM, THAT'S WWW.LAST OUNCE THE MOVIE DOT COM. JOIN ME, GOVERNOR MIKE HUCKABEE IN SUPPORTING THIS INSPIRING MOVIE. GO TO LAST OUNCE THE MOVIE DOT COM AND FIND A THEATER NEAR YOU. (THIS MESSAGE WILL PLAY WHEN A RESPONDENT CALLS THE NUMBER IN THE DISCLAIMER. IT IS A GOOGLE VOICE NUMBER RECORDING)

S: 0

Huckabee - Last Ounce of Courage - Survey - 1
September 9th - 15th, 2012
4,000,000 homes per ccAdvertising database

Survey Questionnaire
Page 1-1

Brief Overview:

This survey was conducted to 4,000,000 homes in United States per the ccAdvertising database. The purpose of this survey was to identify those respondents who believe in American freedom and liberty and who are interested in hearing more information about the movie "Last Ounce of Courage."

Summary Respondents:

- 82% of all respondents believe in American freedom and liberty (295,420 people).
- 80% of all respondents feel that in the last 10 years Americans have lost some of their rights and religious freedom (194,711 people).
- 71% of all respondents would like to hear more about the movie "Last Ounce of Courage" (139,827 people) and of those respondents, 7% would like to hear that information again (8,760 people).
- 28% of all respondents have a smart phone (43,976 people).
- 47% of all respondents give their permission to have someone contact them in the future concerning movies, radio and TV programming and special offers (61,363 people).
- 26% of all respondents use Facebook (35,262 people).
- 96% of all respondents are 18 years of age or older (117,930 people).

Response Rate:

This survey had a completion rate of 75.14%. This means that a live voice was detected (40.94% including hang-ups) or an answering device (34.20%) in 75.14% of all the homes targeted.

Below are the results from this survey:

1. 1,018,609 live responses were detected. This is 26.12% of all targeted households. This means that each of these households heard at least 10 seconds of the survey.
2. 379,082 live respondents answered one or more questions. This is 9.72% of all households and 37.22% of all live respondents.
3. 122,660 live respondents completed the entire survey. This is 3.14% of all households and 12.04% of all live respondents.



Huckabee - Last Ounce of Courage - Survey - 1
September 9th - 15th, 2012
4,000,000 homes per ccAdvertising database

Survey Questionnaire
Page 1-2

Survey Questions:

1. Believe In American Freedom?

HELLO THIS IS GOVERNOR MIKE HUCKABEE, WITH A 45-SECOND SURVEY. DO YOU BELIEVE IN AMERICAN FREEDOM AND LIBERTY? (379,082 plays) (NOTE: ALL RESPONSES GO TO QUESTION 2)

Yes.....82.23%
No.....17.77%

2. Lost Some of our Rights and Religious Freedoms?

THIS SURVEY IS ABOUT AMERICAN FREEDOM AND LIBERTY. EVERY WEEKDAY, I AM ON THE RADIO TALKING ABOUT LIBERTY, FREEDOM AND VALUES. I INVITE YOU TO LISTEN TO THE MIKE HUCKABEE RADIO SHOW IN YOUR AREA TO HEAR MORE. ARE YOU, LIKE ME CONCERNED THAT IN THE LAST 10-YEARS AMERICANS HAVE LOST SOME OF THEIR RIGHTS AND RELIGIOUS FREEDOM? (324,164 plays) (NOTE: ALL RESPONSES GO TO QUESTION 5)

Yes.....79.59%
No.....20.41%

5. Permission to Tell More?

I AM AN ENTHUSIASTIC SUPPORTER OF A NEW MOVIE CALLED LAST OUNCE OF COURAGE. IT IS A FILM ABOUT FAITH, FREEDOM, AND TAKING A STAND FOR AMERICAN VALUES. MAY I TELL YOU MORE ABOUT WHY I RECOMMEND THAT YOU AND ALL AMERICANS SEE THE MOVIE LAST OUNCE OF COURAGE? (234,208 plays) (NOTE: ALL "YES" RESPONSES GO TO QUESTION 6 AND ALL "NO" RESPONSES GO TO QUESTION 8)

Yes.....70.70%
No.....29.30%



Huckabee - Last Ounce of Courage - Survey - 1
September 9th - 15th, 2012
 4,000,000 homes per ccAdvertising database

Survey Questionnaire
Page 1-3

6. Hear Information Again?

THANK YOU FOR YOUR INTEREST. LAST OUNCE OF COURAGE OPENS IN THEATERS ON FRIDAY, SEPTEMBER 14TH. LAST OUNCE OF COURAGE WILL INSPIRE YOU AND YOUR LOVED ONES TO CELEBRATE OUR NATION AND THE SACRIFICES MADE TO PROTECT OUR LIBERTIES. IT IS A GREAT STORY ABOUT TAKING A STAND FOR RELIGIOUS FREEDOM. THE FILM IS A TIMELY REMINDER OF ALL THAT IS WORTH DEFENDING IN OUR NATION. EXPERIENCE THE LAST OUNCE OF COURAGE TRAILER AND SEE AUDIENCE REACTIONS AT WWW DOT LAST OUNCE THE MOVIE DOT COM, THAT'S LAST OUNCE THE MOVIE DOT COM. WOULD YOU LIKE TO HEAR THIS INFORMATION AGAIN? (132,449 plays) (NOTE: ALL "YES" RESPONSES GO TO QUESTION 7 AND ALL OTHER RESPONSES GO TO QUESTION 8)

Yes.....7.13%
 No.....92.87%

7. Information Again.

LAST OUNCE OF COURAGE OPENS IN THEATERS ON FRIDAY, SEPTEMBER 14TH. LAST OUNCE OF COURAGE WILL INSPIRE YOU AND YOUR LOVED ONES TO CELEBRATE OUR NATION AND THE SACRIFICES MADE TO PROTECT OUR LIBERTIES. IT IS A GREAT STORY ABOUT TAKING A STAND FOR RELIGIOUS FREEDOM. THE FILM IS A TIMELY REMINDER OF ALL THAT IS WORTH DEFENDING IN OUR NATION. EXPERIENCE THE LAST OUNCE OF COURAGE TRAILER AND SEE AUDIENCE REACTIONS AT WWW DOT LAST OUNCE THE MOVIE DOT COM, THAT'S LAST OUNCE THE MOVIE DOT COM (8,184 plays)

Play Only.....100.00%

8. Smart Phone?

THANK YOU FOR YOUR ANSWERS SO FAR. I HAVE A JUST FEW MORE QUESTIONS FOR DEMOGRAPHIC PURPOSES. DO YOU OWN A SMART PHONE? (160,697 plays) (NOTE: ALL "YES" AND "NO" RESPONSES GO TO QUESTION 9)

Yes.....28.35%
 No.....71.65%



Huckabee - Last Ounce of Courage - Survey - 1
September 9th - 15th, 2012
4,000,000 homes per ccAdvertising database

Survey Questionnaire
Page 1-4

9. Opt-In?

MAY WE HAVE YOUR PERMISSION TO REACH OUT TO YOU AGAIN CONCERNING
MOVIES, RADIO AND TELEVISION PROGRAMMING AND SPECIAL OFFERINGS
THAT WILL BE UNIQUE TO YOU AND WHAT YOU WANT? (154,794 plays) (NOTE: ALL
RESPONSES GO TO QUESTION 10)

Yes.....47.31%
No.....52.69%

10. Facebook?

DO YOU USE FACEBOOK? (154,099 plays) (NOTE: ALL RESPONSES GO TO
QUESTION 11)

Yes.....25.64%
No.....74.36%

11. 18+?

ARE YOU 18-YEARS OF AGE OR OLDER? (152,901 plays) (NOTE: ALL RESPONSES GO
TO QUESTION 12)

Yes.....96.14%
No.....3.86%



From: Steve W. Griffin <stevegriffin@me.com>
Sent: Saturday, October 6, 2012 5:10 PM
To: Gabe Joseph <gjoseph@ccAdvertising.com>
Subject: Re: Thank You - October 6, 2012

Gabe

Lets connect next week. I would love to understand why you are excited. The movie did not do well. It was a terrible box office. I loved the approach. But it generate negative reaction.

Again, lets connect next week

Sent from my iPad

On Oct 6, 2012, at 1:24 PM, Gabe Joseph <gjoseph@ccAdvertising.com> wrote:

Dear Steve:

Thank you for the wire transfer earlier this week. I appreciate working with you and the Veritas team and want you to know that our efforts are opening up a lot more opportunities.

I am very excited about the facts that came out of the program we ran with "Last Ounce of Courage." The more I look at the numbers, the more I am amazed, especially in light of the paid attendance numbers reported for the movie.

I am still very interested in how we can work with Veritas to build up an Opt-In Channel of 10 million mobile phones or more to promote movies and other family friendly content directly to the interested respondent.

Thanks again for the wire and for choosing to work with ccAdvertising on this project. I look forward to hearing back from you about when we can connect. In the meantime, if you have any questions or comments, please do not hesitate to contact me.

Sincerely,

Gabe

Gabriel S Joseph III
President
ccAdvertising
5900 Fort Drive, Suite 302
Centreville, Virginia 20121
Phone: 703/953-3555
Fax: 703/574-8061
Email: gjoseph@ccAdvertising.com

From: Gabe Joseph <gjoseph@ccAdvertising.com>
Sent: Monday, October 1, 2012 9:09 AM
To: 'Steve Griffin' <stevewgriffin@me.com>
Cc: 'Lisa Johnson' <ljohnson@veritashq.com>
Subject: Missed your earlier email
Attach: Inv__4065_from_ccAdvertising_2404.pdf

Dear Steve:

Thanks again for your email below. Please confirm:

1. That the wire has been sent today on the \$78,500 owed.
2. Please call me when you can. I look forward to catching up.

Thanks again for choosing to work with ccAdvertising on this project. I am still praying for "Last Ounce of Courage's" reach and success. I appreciate you greatly my friend.

Sincerely,

Gabe

Gabriel S Joseph III
President
ccAdvertising
5900 Fort Drive, Suite 302
Centreville, Virginia 20121
Phone: 703/953-3555
Fax: 703/574-8061
Email: gjoseph@ccAdvertising.com

-----Original Message-----

From: Steve Griffin [mailto:stevewgriffin@me.com]
Sent: Friday, September 28, 2012 4:23 PM
To: Gabe Joseph
Subject: Missed your earlier email

Thought the final payment had been made. Will have payment wired monday morning. Lets catch up next week

Steve

Sent from my iPhone



ccAdvertising

Constituent Research & Data Acquisition
5900 Fort Drive • Suite 302 • Centreville, VA 20121

Date	Invoice #
9/5/2012	4065

Bill To

Veritas Entertainment
Attn: Steve Griffin
830 Crescent Centre Drive
Suite 140
Franklin, TN 37067

		P.O. No.	Terms	CID
			Due on receipt	
Quantity	Description	Rate	Amount	
	Artificial Intelligence Call Survey; Last Ounce of Courage Campaign Universe Targeted: 4,000,000 Homes	248,500.00	248,500.00	
	Email to Text (ETT) Messages Last Ounce of Courage Campaign Universe Targeted: 30,000,000 Cell Phones	30,000.00	30,000.00	
	* ccAdvertising will make all reasonable attempts to ensure delivery of a message to mobile phone providers but cannot guarantee the delivery due to factors beyond its control, including, but not limited to, mobile network congestion, local number portability, SPAM filtering, and end-user text messaging blocks. These failed messages may or may not appear as "bounced" messages in the return e-mail inbox. For more information, please contact ccAdvertisment.			
	Receipt of Wire Transfer on September 7, 2012 of \$100,000.00 Receipt of Wire Transfer on September 14, 2012 of \$100,000.00			
	Invoice Total: \$78,500.00 Payment Terms: Due on Receipt			
REVISED to reflect amended universe.		Total	\$278,500.00	
		Balance Due	\$78,500.00	

From: Gabe Joseph <gjoseph@ccAdvertising.com>
Sent: Monday, September 17, 2012 9:18 AM
To: 'Steve W. Griffin' <sgriffin@veritashq.com>
Subject: The Weekend - September 16, 2012

Dear Steve:

Thanks for the update. Please let me know what we can do to help. We still have \$20,000 left in the budget for ETT or more calls.

I am praying for success and vision. Thanks again for choosing to work with ccAdvertising on this project. I look forward to hearing back from you.

Sincerely,

Gabe

Gabriel S Joseph III
President
ccAdvertising
5900 Fort Drive, Suite 302
Centreville, Virginia 20121
Phone: 703/953-3555
Fax: 703/574-8061
Email: gjoseph@ccAdvertising.com

From: Steve W. Griffin [mailto:sgriffin@veritashq.com]
Sent: Sunday, September 16, 2012 9:22 PM
To: Gabe Joseph
Subject: Re: The Weekend - September 16, 2012

terrible opening weekend, 1.7 m estimated. an average of 16 people in each showing across 1407 screens.
Nothing seems to have worked. more later

Steve W. Griffin
President & CEO
Veritas Entertainment
830 Crescent Centre Drive
Suite 140
Franklin TN 37067
United States

sgriffin@veritashq.com
www.VeritasHQ.com

615-538-7611 Office
615-656-4533 Direct

On Sep 16, 2012, at 8:13 PM, "Gabe Joseph" <gjoseph@ccAdvertising.com> wrote:

From: Gabe Joseph <gjoseph@ccAdvertising.com>
Sent: Friday, September 14, 2012 8:30 AM
To: 'Steve W Griffin' <sgriffin@VeritasHQ.com>
Cc: 'Lisa Johnson' <ljohnson@veritashq.com>
Subject: Update

Dear Steve:

I hope all is well. I know you are busy today with the opening of "Last Ounce of Courage." I need to ask for a response on when another payment against the budget and invoice that ccAdvertising has with Veritas for the "Last Ounce of Courage" "Artificial Intelligence Call" (AIC) calls will be made.

Please give me a reply email as to when I can expect the next \$100,000 payment on the balance due.

I need to hear from you this morning. Otherwise I have to shut down the Huckabee "Artificial Intelligence Call" (AIC) campaign. Our costs at this time are far exceeding the amount we have been paid.

Also please let me know if I need to engage Dr. Jim in this to make sure he has provided you the monies you need to pay ccAdvertising.

Thanks again for choosing to work with ccAdvertising on this project. I look forward to hearing back from you. In the meantime, if you have any questions or comments, please do not hesitate to contact me.

Sincerely,

Gabe

Gabriel S Joseph III
President
ccAdvertising
5900 Fort Drive, Suite 302
Centreville, Virginia 20121
Phone: 703/953-3555
Fax: 703/574-8061
Email: gjoseph@ccAdvertising.com

From: Steve W. Griffin <sgriffin@veritashq.com>
Sent: Thursday, September 6, 2012 7:48 PM
To: Gabe Joseph <gjoseph@ccAdvertising.com>
Subject: Re: Huckabee AIC - ETT - September 5, 2012

gabe

Missed the cut off for the wire to actually be sent, It arrives in the morning.

steve

On Sep 6, 2012, at 4:37 PM, "Gabe Joseph" <gjoseph@ccAdvertising.com> wrote:

Dear Steve:

Thanks for the email below that was sent this morning. I wanted to let you know that the wire transfer has not hit our account as of 5:00 p.m. today. Is there a problem we need to address? Please let me know.

I am on the line with Dr. Jim now sending him a test call of the "Artificial Intelligence Call" (AIC) call. I will offer to send him an Email to Text (ETT) as well.

I just wanted to let you know the latest. Please update me on the wire as soon as you can. Thanks again for choosing to work with ccAdvertising on this project. If you have any questions or comments, please do not hesitate to contact me.

Sincerely,

Gabe

Gabriel S Joseph III
President
ccAdvertising
5900 Fort Drive, Suite 302
Centreville, Virginia 20121
Phone: 703/953-3555
Fax: 703/574-8061
Email: gjoseph@ccAdvertising.com

From: Steve W. Griffin [<mailto:sgriffin@veritashq.com>]
Sent: Thursday, September 06, 2012 9:17 AM
To: Gabe Joseph
Subject: Re: Huckabee AIC - ETT - September 5, 2012

I will get a wire out today for 100,000K

On Sep 5, 2012, at 3:10 PM, Gabe Joseph <gjoseph@ccAdvertising.com> wrote:

Dear Bob:

Thanks for the email. We would like to start the calls tomorrow, Thursday, September 6, 2012. We have the ability to focus "Artificial Intelligence Call" (AIC) programs around where the movie will be opening. What would be helpful for us is to get the following information from you for our targeting:

1. Cities where the most theaters will be showing the movie
 - a. In descending order.
2. States where the most theaters will be showing the movie
 - a. In descending order.

We plan on getting through all 4,000,000 by next Thursday, September 13, 2012, leaving Friday morning

September 14, 2012 as a backup day. Please let us know if this level of service will meet your requirements.

We would also like a \$100,000 deposit made on the ETT and AIC calls by Friday, September 7, 2012. Please let me know if this would be possible. I am copying Steve on this email to confirm that detail. Once confirmed we will send an invoice for the remaining \$288,500 left on the budget that Steve has confirmed we have.

Please get the requested data to us promptly so we can build the campaign appropriately. Thanks again for choosing to work with ccAdvertising on this project.

Sincerely,

Gabe

Gabriel S Joseph III
President
ccAdvertising
5900 Fort Drive, Suite 302
Centreville, Virginia 20121
Phone: 703/953-3555
Fax: 703/574-8061
Email: gjoseph@ccAdvertising.com

-----Original Message-----

From: Bob Brewer [mailto:bob.brewer@sixdi.com]
Sent: Wednesday, September 05, 2012 4:02 PM
To: Gabe Joseph; Jason Flanary
Cc: Jeanne Teshler; Simon Solotko
Subject: Huckabee AIC

Gabe and Joseph,

Let's go. The Huckabee AIC call is approved.

What pace will we be seeing the 4M roll out?

Regards,

Bob

From: Gabe Joseph <gjoseph@ccAdvertising.com>
Sent: Thursday, September 6, 2012 6:07 PM
To: 'Bob Brewer' <bob.brewer@sixdi.com>
Cc: 'Steve W. Griffin' <sgriffin@veritashq.com>; 'Jason Flanary' <jflanary@ccadvertising.com>; 'Kevin Hartley' <khartley@ccadvertising.com>
Subject: Dr. Leininger Call

Dear Steve and Bob:

I have been in communication with Dr. Leininger today. He has received a test call of the "Artificial Intelligence Call" (AIC) survey and an Email to Text (ETT) message of what is going out now.

He liked the Huckabee call. He asked if we could go from Segment 2 to Segment 5 and skip the questions in between. I mentioned that we could.

We have programmed the system and the survey to do just that. Jim was anxious to get people to the movie permission Segment. So we made the change. It is the same script less two Segments.

Please feel free to ask for a new test call. Jason Flanary (ccAdvertising Chief Operating Officer) and Kevin Hartley (ccAdvertising, Deputy Director of Operations) will be happy to send you a test call if you want one.

Thanks again for choosing to work with ccAdvertising on this project. If you have any questions or comments, please do not hesitate to contact Jason or me.

Sincerely,

Gabe

Gabriel S Joseph III
President
ccAdvertising
5900 Fort Drive, Suite 302
Centreville, Virginia 20121
Phone: 703/953-3555
Fax: 703/574-8061
Email: gjoseph@ccAdvertising.com

From: Gabe Joseph <gjoseph@ccAdvertising.com>
Sent: Thursday, September 6, 2012 10:57 AM
To: 'Steve W. Griffin' <sgniffin@veritashq.com>; 'Steve W. Griffin' <stevewggriffin@me.com>
Subject: Invoice for Last Ounce of Courage - September 6, 2012
Attach: Inv___4065_from_ccAdvertising_3592.pdf

Dear Steve:

ccAdvertising is proud to be working with you on the movie Last Ounce of Courage. We started the next round of ETT messages last night. We intend to start the "Artificial Intelligence Call" (AIC) calls today, September 6, 2012.

Governor Huckabee has recorded and the survey is set to run. You will have real-time, online access to see the results of the AIC survey.

Now that the program is primed running, ccAdvertising has completed an invoice for the remaining work on the project. It is attached for processing.

This invoice reflects the \$100,000 deposit made today. We will ask for the rest of the amount once the program completes next week.

Thanks again for choosing to work with ccAdvertising on this project. I enjoy changing the world with you. Upon your receipt and review of this email and the attached invoice, if you have any questions or comments, please do not hesitate to contact me.

Sincerely,

Gabe

Gabriel S Joseph III
President
ccAdvertising
5900 Fort Drive, Suite 302
Centreville, Virginia 20121
Phone: 703/953-3555
Fax: 703/574-8061
Email: gjoseph@ccAdvertising.com

From: Gabe Joseph <gjoseph@ccAdvertising.com>
Sent: Wednesday, September 5, 2012 9:39 AM
To: 'Steve W. Griffin' <sgriffin@veritashq.com>
Cc: 'Jason Flanary' <jflanary@ccadvertising.com>
Subject: Huckabee Recording - September 4, 2012

Dear Steve:

Thanks. We will make sure we call your mobile with a test call at 615/210-5500. It will probably be this afternoon. A ccAdvertising staff member will call you in advance to let you know the test call is coming and follow-up after the call as well to make sure you received it.

Enjoy your trip to NYC.

This is very exciting. Thanks again for choosing to work with ccAdvertising on this project.

Sincerely,

Gabe

Gabriel S Joseph III
President
ccAdvertising
5900 Fort Drive, Suite 302
Centreville, Virginia 20121
Phone: 703/953-3555
Fax: 703/574-8061
Email: gjoseph@ccAdvertising.com

From: Steve W. Griffin [mailto:sgriffin@veritashq.com]
Sent: Wednesday, September 05, 2012 8:53 AM
To: Gabe Joseph
Subject: Re: Huckabee Recording - September 4, 2012

i need review the call. traveling to nyc today.

6152105500

steve

On Sep 5, 2012, at 7:50 AM, Gabe Joseph <gjoseph@ccAdvertising.com> wrote:

Dear Bob and Steve:

Governor Huckabee recorded the ccAdvertising "Artificial Intelligence Call" (AIC) script last night. We will have the script edited and ready for test calls later this morning. Please send us the numbers of those that need to have a test call for approval.

It is unlikely that Huckabee will re-record anything we have asked him to record. He did a great job.

Please let us know the division of the total budget for the calls and the Email to Text (ETT) messages. We will work within those parameters. Based on what I know and what we can do I recommend:

1. \$250,000 for "Artificial Intelligence Call" (AIC) calls
2. \$50,000 for Email to Text (ETT) messages.

Thanks again for choosing to work with ccAdvertising on this project. This is good news. You will hear from Jason Flanary (ccAdvertising Chief Operating Officer) and his team later this morning. In the meantime, if you have any

questions or comments, please do not hesitate to contact me.

Sincerely,

Gabe

Gabriel S Joseph III
President
ccAdvertising
5900 Fort Drive, Suite 302
Centreville, Virginia 20121
Phone: 703/953-3555
Fax: 703/574-8061
Email: gjoseph@ccAdvertising.com

From: Steve W. Griffin <sgriffin@veritashq.com>
Sent: Wednesday, September 5, 2012 8:53 AM
To: Gabe Joseph <gjoseph@ccAdvertising.com>
Subject: Re: Huckabee Recording - September 4, 2012

i need review the call. traveling to nyc today.

6152105500

steve

On Sep 5, 2012, at 7:50 AM, Gabe Joseph <gjoseph@ccAdvertising.com> wrote:

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Please let us know the division of the total budget for the calls and the Email to Text (ETT) messages. We will work within those parameters. Based on what I know and what we can do I recommend:

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2. \$50,000 for Email to Text (ETT) messages.

Thanks again for choosing to work with ccAdvertising on this project. This is good news. You will hear from Jason Flanary (ccAdvertising Chief Operating Officer) and his team later this morning. In the meantime, if you have any questions or comments, please do not hesitate to contact me.

Sincerely,

Gabe

Gabriel S Joseph III
President
ccAdvertising
5900 Fort Drive, Suite 302
Centreville, Virginia 20121
Phone: 703/953-3555
Fax: 703/574-8061
Email: gjoseph@ccAdvertising.com

From: Gabe Joseph <gjoseph@ccAdvertising.com>
Sent: Wednesday, September 5, 2012 8:51 AM
To: 'Bob Brewer' <bob.brewer@sixdi.com>; 'Steve W Griffin' <sgriffin@VeritasHQ.com>
Cc: 'Jason Flanary' <jflanary@ccadvertising.com>
Subject: Huckabee Recording - September 4, 2012

Dear Bob and Steve:

Governor Huckabee recorded the ccAdvertising "Artificial Intelligence Call" (AIC) script last night. We will have the script edited and ready for test calls later this morning. Please send us the numbers of those that need to have a test call for approval.

It is unlikely that Huckabee will re-record anything we have asked him to record. He did a great job.

Please let us know the division of the total budget for the calls and the Email to Text (ETT) messages. We will work within those parameters. Based on what I know and what we can do I recommend:

1. \$250,000 for "Artificial Intelligence Call" (AIC) calls
2. \$50,000 for Email to Text (ETT) messages.

Thanks again for choosing to work with ccAdvertising on this project. This is good news. You will hear from Jason Flanary (ccAdvertising Chief Operating Officer) and his team later this morning. In the meantime, if you have any questions or comments, please do not hesitate to contact me.

Sincerely,

Gabe

Gabriel S Joseph III
President
ccAdvertising
5900 Fort Drive, Suite 302
Centreville, Virginia 20121
Phone: 703/953-3555
Fax: 703/574-8061
Email: gjoseph@ccAdvertising.com

From: Jason Flanary <jflanary@ccadvertising.com>
Sent: Tuesday, September 4, 2012 11:17 AM
To: Gabe Joseph <gjoseph@ccadvertising.com>
Subject: Re: Huckabee Script - September 4, 2012

thanks.

On Tue, Sep 4, 2012 at 11:16 AM, Gabe Joseph <gjoseph@ccadvertising.com> wrote:

Dear Jason:

Current Huckabee script including Word and SPT

Sincerely,

Gabe

Gabriel S Joseph III

President

ccAdvertising

5900 Fort Drive, Suite 302

Centreville, Virginia 20121

Phone: 703/953-3555

Fax: 703/574-8061

Email: gjoseph@ccAdvertising.com

From: Gabe Joseph [mailto:gjoseph@ccAdvertising.com]
Sent: Tuesday, September 04, 2012 10:35 AM
To: 'Bob Brewer'; 'Steve W. Griffin'; 'Steve W Griffin'
Cc: 'Jason Flanary'
Subject: Huckabee Script - September 4, 2012

Dear Bob and Steve:

I heard from David Huckabee this morning. He said Governor Huckabee will record a script for Last Ounce of Courage today. He asked if they could put in some comment about the Governor's radio show. I agreed (because we had talked about that) and we worked out some edits that are included in the revised attached script.

The Governor usually takes some liberties in recording as well. We will make sure we send out final recorded scripts and test calls before we go live with this program.

I am sending this draft to Governor Huckabee to record now as well. Items that we need to know from Veritas and SixDi are:

1. Budget for calls.
2. Budget for Email to Text (ETT) messages.
3. Timing of calls.
 - a. I recommend starting this weekend.

Please review the script and get me any comments ASAP. Thanks again for choosing to work with ccAdvertising on this project. We look forward to executing for you. In the meantime, if you have any questions or comments, please do not hesitate to contact me.

Sincerely,

Gabe

Gabriel S Joseph III

President

ccAdvertising

5900 Fort Drive, Suite 302

Centreville, Virginia 20121

Phone: 703/953-3555

Fax: 703/574-8061

Email: gjoseph@ccAdvertising.com

From: Gabe Joseph <gjoseph@ccAdvertising.com>
Sent: Friday, August 31, 2012 9:44 AM
To: 'Steve W. Griffin' <stevewgriffin@me.com>
Subject: ccAdvertising Invoices 4054 and 4062 / StandUSA / Survey and Email to Text (ETT) Messages

Dear Steve:

Thank you for replying. We need to talk. If the Budget is \$300,000 for ccAdvertising we have room to do both "Artificial Intelligence Call" (AIC) calls and Email to Text (ETT) messages.

When can we talk today? We need to start our "Artificial Intelligence Call" (AIC) calls with or without a Celebrity Voice. Have you heard anything from Dobson?

Huckabee has the script. David his son has gotten back to me. He says he wants to talk next week. We still have time to get this done using Huckabee or Dobson. ccAdvertising will make sure that the \$300,000 you have budgeted for ccAdvertising is used very well.

I will try and call shortly. Please try me back if we miss. If you have any questions or comments, please do not hesitate to contact me.

Sincerely,

Gabe

Gabriel S Joseph III
President
ccAdvertising
5900 Fort Drive, Suite 302
Centreville, Virginia 20121
Phone: 703/953-3555
Fax: 703/574-8061
Email: gjoseph@ccAdvertising.com

From: Steve W. Griffin [mailto:stevewgriffin@me.com]
Sent: Friday, August 31, 2012 7:50 AM
To: Gabe Joseph
Subject: Re: ccAdvertising Invoices 4054 and 4062 / StandUSA / Survey and Email to Text (ETT) Messages
Importance: High

Gabe, I am glad the ETT program is going well. I would like to proceed. It is simply not in my budget to spend 300K for the 4 million calls. The money is just not there. The only way I know to pay for this is to go back to Dr. L. I do not mind testing a small number, but I only budgeted a total of 300K for you. The AIC calls totally kill the budget. I want people to go see the movie your are right we only have two weeks. Getting a lot of info about people with a call to see the movie does not help me at this point.

Steve

On Aug 30, 2012, at 6:38 PM, Gabe Joseph <gjoseph@ccAdvertising.com> wrote:

Dear Steve:

I hope all is well. The Email to Text (ETT) program we are running with SixDi seems to be going very well.

Bob Brewer and I talked today and he asked me to do the following:

From: Steve W. Griffin <stevegriffin@me.com>
Sent: Friday, August 31, 2012 7:50 AM
To: Gabe Joseph <gjoseph@ccAdvertising.com>
Subject: Re: ccAdvertising Invoices 4054 and 4062 / StandUSA / Survey and Email to Text (ETT) Messages

Gabe, I am glad the ETT program is going well. I would like to proceed. It is simply not in my budget to spend 300K for the 4 million calls. The money is just not there. The only way I know to pay for this is to go back to Dr. L. I do not mind testing a small number, but I only budgeted a total of 300K for you. The AIC calls totally kill the budget. I want people to go see the movie your are right we only have two weeks. Getting a lot of info about people with a call to see the movie does not help me at this point.

Steve

On Aug 30, 2012, at 6:38 PM, Gabe Joseph <gjoseph@ccAdvertising.com> wrote:

Dear Steve:

I hope all is well. The Email to Text (ETT) program we are running with SixDi seems to be going very well.

Bob Brewer and I talked today and he asked me to do the following:

1. Reprint the invoices for our services that we have completed for Last Ounce of Courage from changing the client from SixDi to Veritas.
2. Email them to you with wire instructions for immediate processing.

Based on the successes we are having with the Email to Text (ETT) program for LOOC, Bob has said they want to expand the program next week. We are excited to do that.

It is my request that the attached invoices be paid promptly. Please let me know if this would be possible.

We also need a budget for the entire LOOC effort including:

1. "Artificial Intelligence Call" (AIC) calls with chaser Email to Text (ETT) messages:
 - a. Proposed 4,000,000 for \$300,000.
2. Additional Email to Text (ETT) programs:
 - a. Proposed 10,000,000 ETT messages:
 - b. Cost = \$10,000 per 10,000,000 ETT messages sent.

We are now two-weeks away from opening night. We know we are making a difference and will continue to do so if engaged fully.

To help facilitate this process, it is my request that you provide us a budget as to how much you would like to allocate for ccAdvertising's services and we will do all we can to fit our services into that amount. Based on the results so far, ccAdvertising is convinced that there is no better program or media that will produce the results we are for the money spent. We hope you agree.

Thanks again for choosing to work with ccAdvertising on this project. We are excited to execute for you and the rest of the Veritas and LOOC team. Upon your receipt and review of this email and the attached invoices and wiring instructions, if you have any questions or comments, please do not hesitate to contact me.

Sincerely,

Gabe

Gabriel S Joseph III

From: Gabe Joseph <gjoseph@ccAdvertising.com>
Sent: Wednesday, August 29, 2012 9:53 AM
To: 'Bob Brewer' <bob.brewer@sixdi.com>
Subject: Huckabee Script - August 29, 2012
Attach: HUCKABEE - LAST OUNCE OF COURAGE-12.829.docx

Dear Bob:

Thanks for taking my call this morning and for the information. Attached is the Huckabee script.

I forgot to ask one question this morning. ccAdvertising now has \$11,500 in invoices outstanding with SixDi. Please let me know when we can expect them to be paid.

Thanks again for the encouraging words and the new ideas. I am excited to execute on them all with you and the rest of the SixDi team.

Thanks again for choosing to work with ccAdvertising on this project. We look forward to continuing to execute for you and the rest of the Last Ounce of Courage team on this project and many more.

Sincerely,

Gabe

Gabriel S Joseph III
President
ccAdvertising
5900 Fort Drive, Suite 302
Centreville, Virginia 20121
Phone: 703/953-3555
Fax: 703/574-8061
Email: gjoseph@ccAdvertising.com

From: Gabe Joseph [mailto:gjoseph@ccAdvertising.com]
Sent: Wednesday, August 29, 2012 9:48 AM
To: 'Steve W. Griffin'
Cc: Jim Leininger (drjrl@me.com)
Subject: Huckabee Script - August 29, 2012

Dear Steve:

Thanks for your phone call yesterday. It is good news that Mike Huckabee has said he would record an "Artificial Intelligence Call" (AIC) survey for Last Ounce of Courage.

Attached is the script we have written for him to record. Please forward it onto him with the following instructions regarding recording options:

You can record this and email us an MP3 (highest quality) or phone it into our system directly (easiest to do). If you want to phone it in, please call **703/291-1291** from a corded landline phone. Cell phones and cordless phones cause unnecessary noise. Please record from a quiet room without background noise as well.

Governor Huckabee has worked with ccAdvertising a lot. He knows what to do and how to reach me with issues.

I did not copy him directly because his contacts have been with Dr. Leininger and you. If you need me to connect with him regarding the script I can. Please let me know. Dr. Jim is copied on this email too so he can engage as needed.

Please get Governor Huckabee to record promptly. We are ready to go with 4,000,000 "Artificial Intelligence Call" (AIC) calls ASAP. Next week would be a good time to start.

I just talked to Bob Brewer. I am pleased with the hits we are getting from the Email to Text (ETT). More importantly 90%

of the messages are being delivered. The response rates and follow-up Email to Text (ETT) for the Huckabee survey will be higher.

Thanks again for choosing to work with ccAdvertising on this project. Upon your receipt and review of this email and the attached script, if you have any questions or comments, please do not hesitate to contact me.

Sincerely,

Gabe

Gabriel S Joseph III
President
ccAdvertising
5900 Fort Drive, Suite 302
Centreville, Virginia 20121
Phone: 703/953-3555
Fax: 703/574-8061
Email: gjoseph@ccAdvertising.com

From: Caitlin Clancy <cclancy@ccadvertising.com>
Sent: Friday, September 7, 2012 5:13 PM
To: sgriffin@veritashq.com; Bob Brewer <bob.brewer@sixdi.com>
Subject: Real Time, Online Access - Huckabee - Last Ounce of Courage - Survey - 1

Steve & Bob,

Thank you for choosing to work with ccAdvertising. Your campaign, Huckabee - Last Ounce of Courage - Survey - 1, will begin on Sunday. To view the summary reports please visit the following link:

www.ccamanager.com

Once there please enter the following information to enter your secure information data directory (**it is case sensitive**):

Login: [REDACTED]

Password: [REDACTED]

You can change your password once you have gained access to your webpage. We recommend you do change it. If you do and forget it, the only way we will be able to gain access is to recreate your password.

You will have access to four summary reports:

Advertising Share – This is the percentage of homes that the ccAdvertising got into with Live Answers (Live respondents) or with an Answering Device message;

Client Call Status – How each call is registered by major category (Live Answer, Answering Machine, etc);

Client Segment Status – How each live respondent that answers questions answers each question. This report only shows percentage levels of "Yes" or "No" responses;

Client Response Rate – Composite percentages of how many "Yes" or "No" questions were answered (this does not included Unknown or Undecided responses) by how many respondents (how many answered 1 or more, 2 or more, etc.).

To view the reports, click on the "Reports" tab at the top of the page. To generate the report, select the report you want to view from the drop down menu, and select the campaign from the main menu. After you select the **report and the campaign** you want to view (you must do both) click the **"Generate Report"** button.

The statistics posted are real-time data at moment the report was generated. To get updated stats, close the window and generate the report again. If you have pop-up blocking software, you will need to disable it or press "ctrl" in order to let the report page load.

POP-UPS NEED TO BE ALLOWED ON YOUR BROWSER TO VIEW THESE REPORTS!

If you want you can highlight records with your mouse and copy them into an excel spreadsheet (click and drag the mouse over the records you want and right click for copy). You can also print this report by pressing "ctrl+p"

We will be sending you a final report after the campaign completes. Until then, please enjoy the online reports.

Thanks again for working with us on this effort. If you have any questions or comments, please do not hesitate to contact me.

Regards,

--

Caitlin Clancy

ccAdvertising

5900 Fort Drive, Suite 302

Centreville, VA 20121

Tel: 703-953-3555 | Fax: 703-574-8061

www.ccadvertising.com

IN THE MISSOURI CIRCUIT COURT
FOR THE TWENTY-FIRST JUDICIAL CIRCUIT
ST. LOUIS COUNTY

RON GOLAN, and DORIT GOLAN,)

Plaintiffs,)

v.)

VERITAS ENTERTAINMENT,)
LLC, VERITAS MARKETING)
GROUP, LLC,)

FREEEATS.COM, INC. d/b/a)
CCADVERTISING,)

Registered Agent:)
The Corporation Trust)
Company)
1209 N. Orange St.)
Wilmington, DE 19801)

AIC COMMUNICATIONS, LLC,)
d/b/a CCADVERTISING,)

Registered Agent:)
The Corporation Trust)
Company)
1209 N. Orange St.)
Wilmington, DE 19801)

GABRIEL S. JOSEPH, III,)

5417 Buggy Whip Dr.)
Centreville, VA 20120)

STEPHEN WAYNE GRIFFIN,)

786 High Point Ridge Rd.)
Franklin, TN 37069)

Case No. 12SL-CC03771

Division: 13

JURY TRIAL DEMANDED

MISSION CITY MANAGEMENT,)
INC.,)
)
Registered Agent:)
Thomas W. Lyles, Jr.)
18615 Tuscany Stone, Ste. 200)
San Antonio, TX 78258)
)
COURAGE 2012, LLC,)
)
Registered Agent:)
Thomas W. Lyles, Jr.)
18615 Tuscany Stone, Ste. 200)
San Antonio, TX 78258)
)
JAMES R. LEININGER,)
)
8122 Datapoint Dr., Ste. 1000)
San Antonio, TX 78229)
)
SIXDI, INC., d/b/a SIXDI,)
)
11024 Arroyo Canyon)
Austin, TX 78736)
)
BOB BREWER,)
)
11024 Arroyo Canyon)
Austin, TX 78736)
)
and)
)
MICHAEL DALE HUCKABEE a/k/a)
MIKE HUCKABEE,)
)
756 Blue Mountain Rd.)
Santa Rosa Beach, FL 32459)
)
Defendants.)

AMENDED CLASS ACTION PETITION

Plaintiffs Ron Golan and Dorit Golan, on behalf of themselves and as representatives of the classes defined below, bring this action against the defendants identified below, stating as follows.

1. This action seeks redress for business practices that violate the Telephone Consumer Protection Act of 1991, 47 U.S.C. §§ 227, *et seq.*, and 47 C.F.R. § 64.1200(a), promulgated thereunder (hereinafter referred to collectively as “TCPA” unless otherwise indicated), and Missouri’s Do Not Call Law, Mo. Rev. Stat. §§ 407.1095-407.1110.

2. Section 227 of the TCPA, under its “[r]estrictions on use of automated telephone equipment,” provides that it shall be unlawful for any person “to initiate any telephone call to any residential telephone line using an artificial or prerecorded voice to deliver a message without the prior express consent of the called party, unless the call is initiated for emergency purposes or is exempted by rule or order by the Commission under paragraph (2)(B).” 47 U.S.C. § 227(b)(1)(B).

3. Section 407.1107.3(1)-(3) of Missouri’s Do Not Call Law allows any person who has received more than one telephone solicitation within any twelve-month period by or on behalf of the same person or entity in violation of Missouri’s Do Not Call Law to bring an action to enjoin such violation, to receive up to \$5,000 in damages for each such knowing violation, or both. Mo. Rev. Stat. § 407.1107.3(1)-(3).

JURISDICTION AND VENUE

4. The court has personal jurisdiction over Defendants, as they have transacted business within Missouri, they have committed a tort within this state, the TCPA provides for state court jurisdiction under 47 U.S.C. § 227(b)(3), and Missouri Revised Statutes § 407.1107.6 provides that a Missouri court may

exercise personal jurisdiction over any nonresident as to an action or proceeding authorized by Section 407.1107 in the manner otherwise provided by law.

5. Venue is proper under Missouri Revised Statutes § 508.010.2(4), as all Defendants are non-residents of Missouri.

PARTIES

6. The Golans are individuals who reside in St. Louis County.

7. Defendant Veritas Entertainment, LLC (Veritas Entertainment), is a Tennessee corporation with its principal address in Tennessee.

8. Defendant Veritas Marketing Group, LLC (Veritas Marketing), is a Tennessee corporation with its principal address in Franklin, Tennessee.

9. Defendant Stephen Wayne Griffin, an individual who resides in Franklin, Tennessee, is the President/CEO of Veritas Marketing and Veritas Entertainment.

10. Defendant FreeEats.com, Inc., d/b/a ccAdvertising is a Delaware corporation.

11. Defendant AIC Communications, LLC, d/b/a ccAdvertising is a Delaware limited liability company.

12. Defendant Gabriel S. Joseph, III, an individual who resides in Centreville, Virginia, is the sole officer and director of FreeEats.com, Inc., d/b/a ccAdvertising, and the sole member of AIC Communications, LLC, d/b/a ccAdvertising.

13. Defendant Mission City Management, Inc. (Mission City Management), is a Texas corporation, with its registered agent and principal office in San Antonio, Texas.

14. Defendant Courage 2012, LLC, is a Texas limited liability company, with the same registered agent as Mission City Management, in San Antonio, Texas.

15. Defendant James R. Leininger (Leininger, Dr. Jim, or Dr. L.) is an individual who resides in San Antonio and is a manager of Mission City Management.

16. Defendant SixDi, Inc., d/b/a SixDi (SixDi) is a Texas corporation, with its registered agent and principal place of business in Austin.

17. Defendant Bob Brewer is an individual who resides in Austin, Texas, and is an officer of SixDi.

18. Defendant Michael Dale Huckabee a/k/a Mike Huckabee is an individual who, upon information and belief, resides in Santa Rosa Beach, Florida, and is a radio talk show host and a former Arkansas Governor.

FACTS

A. The Golans.

19. Since prior to January 16, 2010, the Golans have been the accountholders of the residential telephone number (636) 812-2121.

20. The Golans's residential telephone number (636) 812-2121 has been registered on the Missouri No Call List since January 16, 2010, and the federal Do Not Call List since March 7, 2012.

21. The Golans never expressly consented to receiving telephone calls to (636) 812-2121 from any of the Defendants.

B. The Last Ounce of Courage advertising campaign.

22. Veritas Entertainment helped produce "Last Ounce of Courage," a movie that opened nationwide in at least 1,400 theatres on or about September 14, 2012, and played at the Wehrenberg Chesterfield Galaxy 14 theatre in Chesterfield, Missouri.

23. Last Ounce of Courage was initially owned by Eastern Gate Films, L.L.C. (Eastern Gate), which had started the movie and then asked Veritas Entertainment to come alongside and fix the film.

24. Veritas Entertainment provided capital to fix the film in exchange for an equity interest in Last Ounce of Courage.

25. After investing money into the film, Griffin and his associated entities owned a 49 percent interest in Last Ounce of Courage.

26. Mission City Management made an investment of \$10,000,000 to market Last Ounce of Courage.

27. In 2012, a new company—Courage 2012, LLC—was formed, which along with Mission City Management and Veritas Entertainment owned the film.

28. The only movie Veritas Marketing ever marketed was Last Ounce of Courage.

29. In 2012, Dr. Jim introduced Griffin of Veritas Marketing and Veritas Entertainment to Gabe Joseph and ccAdvertising, who subsequently made to Griffin a Power Point pitch, which included the use of telemarketing, about how to promote the movie effectively.

30. Griffin and Joseph then engaged in a series of discussions about a telemarketing campaign to promote Last Ounce of Courage, with Griffin acting on behalf of both Veritas Entertainment and Veritas Marketing.

31. Dr. Jim also introduced Griffin to radio talk show host and former Arkansas Governor, Mike Huckabee, and, in June or July 2012, Griffin went to Florida to screen Last Ounce of Courage to Huckabee at Huckabee's home, with Dr. Jim present.

32. Defendants worked in concert to design and implement a telephone advertising campaign to promote Last Ounce of Courage, i.e., each Defendant materially and substantively contributed to the creation and making of the telemarketing campaign that is the subject of this lawsuit.

33. In communicating by email to Griffin, Joseph carbon copied Dr. Jim, noting, "Dr. Jim can engage as needed," and upon information and belief, this statement was true, because Dr. Jim was an integral part of the telemarketing that is the subject of this case, and had the power and interest to control this telemarketing.

34. In email exchanges between Griffin and Joseph, Griffin often identified himself as the “President & CEO” of Veritas Entertainment and used email address sgriffin@veritashq.com, with “hq” standing for “headquarters.”

35. The advertising campaign for Last Ounce of Courage included approximately 4 million telephone calls to residential telephone numbers through many states in the United States and “Email to Text (ETT) Messages” to 30 million cell phones.

36. Defendants each participated in this marketing scheme with full knowledge that the telephone calls that were made would be recorded ahead of time and played when recipients or their voice mail picked up the phone.

37. Defendants each also actively participated in developing the ruse that the calls would appear to be a survey as to whether the call recipients had traditional American values, with the marketing ploy to suggest that, if the recipients believed in freedom and liberty, they would enjoy Last Ounce of Courage.

38. For example, Joseph referred to the telephone calls as “Artificial Intelligence Call” or “AIC” calls: the technology functioned “like a decision tree” or, in the words of Joseph, a “logic tree,” in that the recipient’s yes or no responses to questions would dictate the next prerecorded question.

39. Griffin was initially concerned with that cost of a large-scale telephone-call campaign, informing Joseph in an August 31, 2012 email, “[t]he money is just not there” and “the only way I know to pay for this is to go back to Dr. L.”

40. Griffin was more concerned with getting viewers to see Last Ounce of Courage than gathering information about them, as evidenced by the following in his August 31 email to Joseph: "I want people to go see the movie your [sic] right we only have two weeks. Getting a lot of info about people with a call to see the movie does not help me at this point."

41. For the Last Ounce of Courage AIC calls, ccAdvertising prepared the initial suggested script, including the following segments, among others:

1.
HELLO THIS IS GOVERNOR MIKE HUCKABEE, WITH A 45-SECOND SURVEY. DO YOU BELIEVE IN AMERICAN FREEDOM AND LIBERTY?
2.
THIS SURVEY IS ABOUT AMERICAN FREEDOM AND LIBERTY. EVERY WEEKDAY, I AM ON THE RADIO TALKING ABOUT LIBERTY, FREEDOM AND VALUES. I INVITE YOU TO LISTEN TO THE MIKE HUCKABEE RADIO SHOW IN YOUR AREA TO HEAR MORE. ARE YOU, LIKE ME CONCERNED THAT IN THE LAST 10-YEARS AMERICANS HAVE LOST SOME OF THEIR RIGHTS AND RELIGIOUS FREEDOM?
3.
DO YOU AGREE THAT TRADITIONAL AMERICAN VALUES ARE UNDER ATTACK IN MAIN STREAM MEDIA AND BY OUR GOVERNMENT?
4.
WOULD YOU LIKE, ME MIKE HUCKABEE, LIKE TO SEE HOLLYWOOD RESPECT AND PROMOTE TRADITIONAL AMERICAN VALUES?
5.
I AM AN ENTHUSIASTIC SUPPORTER OF A NEW MOVIE CALLED LAST OUNCE OF COURAGE. IT IS A FILM ABOUT FAITH, FREEDOM, AND TAKING A STAND FOR AMERICAN VALUES. MAY I TELL YOU MORE ABOUT WHY I RECOMMEND THAT YOU AND ALL AMERICANS SEE THE MOVIE LAST OUNCE OF COURAGE? (PLEASE NOTE THAT ONLY "YES" RESPONSES GO TO SEGMENT 6. ALL OTHER RESPONSES GO TO SEGMENT 8)
6.
THANK YOU FOR YOUR INTEREST. LAST OUNCE OF COURAGE OPENS IN THEATERS ON FRIDAY, SEPTEMBER 14TH. LAST OUNCE OF COURAGE WILL INSPIRE YOU AND YOUR LOVED ONES TO CELEBRATE OUR NATION AND THE SACRIFICES MADE TO PROTECT OUR LIBERTIES. IT IS A GREAT STORY ABOUT TAKING A STAND FOR RELIGIOUS FREEDOM. THE FILM IS A TIMELY REMINDER OF ALL THAT IS WORTH DEFENDING IN OUR NATION. EXPERIENCE THE LAST OUNCE OF COURAGE TRAILER AND SEE AUDIENCE REACTIONS AT WWW.DOT LAST OUNCE THE MOVIE DOT COM, THAT'S LAST OUNCE THE MOVIE DOT COM. WOULD YOU LIKE TO HEAR THIS INFORMATION AGAIN? (PLEASE NOTE THAT ONLY "YES" RESPONSES GO TO SEGMENT 7. ALL OTHER RESPONSES GO TO SEGMENT 8)

7.

LAST OUNCE OF COURAGE OPENS IN THEATERS ON FRIDAY, SEPTEMBER 14TH. LAST OUNCE OF COURAGE WILL INSPIRE YOU AND YOUR LOVED ONES TO CELEBRATE OUR NATION AND THE SACRIFICES MADE TO PROTECT OUR LIBERTIES. IT IS A GREAT STORY ABOUT TAKING A STAND FOR RELIGIOUS FREEDOM. THE FILM IS A TIMELY REMINDER OF ALL THAT IS WORTH DEFENDING IN OUR NATION. EXPERIENCE THE LAST OUNCE OF COURAGE TRAILER AND SEE AUDIENCE REACTIONS AT WWW.DOT.LAST OUNCE THE MOVIE.DOT.COM, THAT'S LAST OUNCE THE MOVIE.DOT.COM

8.

THANK YOU FOR YOUR ANSWERS SO FAR. I HAVE A JUST FEW MORE QUESTIONS FOR DEMOGRAPHIC PURPOSES. DO YOU OWN A SMART PHONE?

* * *

11.

THIS IS GOVERNOR MIKE HUCKABEE. THANK YOU FOR YOU TIME AND VIEWS. I INVITE YOU TO LISTEN TO MY RADIO SHOW, EVERY WEEKDAY ON A STATION IN YOUR AREA AND TO SEE THE MOVIE, LAST OUNCE OF COURAGE IN THEATERS ON SEPTEMBER 14TH. THIS SURVEY WAS SPONSORED BY LAST OUNCE OF COURAGE. FOR MORE INFORMATION PLEASE VISIT LAST OUNCE THE MOVIE.DOT.COM OR CALL 419/777-8263. GOODBYE.

14.

THIS IS GOVERNOR MIKE HUCKABEE. THANK YOU FOR YOU TIME AND VIEWS. I INVITE YOU TO LISTEN TO MY RADIO SHOW, EVERY WEEKDAY ON A STATION IN YOUR AREA AND TO SEE THE MOVIE, LAST OUNCE OF COURAGE IN THEATERS ON SEPTEMBER 14TH. THIS SURVEY WAS SPONSORED BY LAST OUNCE OF COURAGE. FOR MORE INFORMATION PLEASE VISIT LAST OUNCE THE MOVIE.DOT.COM OR CALL 419/777-8263. GOODBYE.
(PLAYS ON HANG-UP IF NO RESPONSE IS GIVEN)

15.

THIS WAS A PUBLIC SURVEY CALL. WE MAY CALL BACK LATER. (PLAYS IF WE GET AN ANSWERING DEVICE)

42. On September 4, 2012, Joseph emailed the above-noted script draft to Griffin and Brewer and asked them to review the script and get back with any comments ASAP.

43. Huckabee recorded the script on September 4, 2012, using his own voice, and he knew that this recording would be played for telemarketing purposes during telephone calls to consumers.

44. Promoting Huckabee's radio show was not the primary purpose of the Last Ounce of Courage AIC campaign, as demonstrated by an August 31,

2012 email from Joseph to Griffin—prior to securing Huckabee’s commitment to participate—in which Joseph stated, “[w]e need to start our ‘Artificial Intelligence Call’ (AIC) calls with or without a Celebrity Voice.”

45. On September 5, 2012, less than two hours after learning that Huckabee had recorded the script, Griffin sent Joseph an email stating “i need review the call,” and upon information and belief, Griffin reviewed the call shortly thereafter and had the power to exert control over the content of the message and other aspects of the call.

46. On September 5, 2012, Joseph sent Brewer an email requesting the following information from Brewer for targeting: cities and states where the most theatres would be showing the movie, each in descending order.

47. On September 5, 2012, Brewer, using bob.brewer@sixdi.com, emailed Joseph, stating “Let’s go. The Huckabee AIC call is approved.”

48. On September 6, 2012, Joseph sent Dr. Jim a test call of the Huckabee call for Last Ounce of Courage.

49. Dr. Jim liked the Huckabee call but wanted the script to be shorter, to go from Segment 2 to Segment 5, and to skip the questions in between, because Dr. Jim “was anxious to get people to the movie permission segment.”

50. Joseph made the changes Dr. Jim desired.

51. In a September 7, 2012 email from ccAdvertising to Griffin and Brewer, ccAdvertising provided Griffin and Brewer with a login and password for a secure information data directory so that they could access summary reports as to the Huckabee calls that had been made, including (a) the percentage of homes

reaching live respondents or answering devices, (b) client call status, showing how each call was registered by major category, (c) client segment status, showing by percentage levels how each live respondent that answered questions answered each question, and (d) client response rate, showing composite percentages of how many “Yes” or “No” questions were answered and by how many respondents.

52. Neither Griffin nor anyone from Veritas Marketing ever logged on to ccAdvertising’s secure data directory.

53. Initially, ccAdvertising invoiced SixDi for its work on the Last Ounce of Courage campaign.

54. Later, ccAdvertising’s invoices, including Invoice # 4065, were sent to Griffin’s attention and identified “Veritas Entertainment” in the bill-to section. A true and accurate copy of Invoice # 4065 is attached as **Exhibit 1**.

55. ccAdvertising charged and was paid \$248,500 by Veritas Entertainment or Veritas Marketing for the 4 million AIC calls to residential telephone numbers and \$30,000 for the 30 million Email to Text Messages to cell phones, receiving \$100,000 wire transfers on September 6 or 7, 2012, and September 14, 2012, and the final \$78,500 during the first week of October, 2012.

56. In a September 14, 2012 email concerning payments, Joseph requested a reply email as to when Joseph could expect the next \$100,000 payment on the balance due, threatened to shut down the Huckabee AIC campaign if he did not hear from Griffin that morning, and stated, “please let me

know if I need to engage Dr. Jim in this to make sure he has provided you the monies you need to pay ccAdvertising.”

57. On September 10 and 12, 2012, using telephone number 202-769-1087, ccAdvertising initiated telephone calls to the Golans’ residential telephone line, using Huckabee’s pre-recorded voice to deliver a message to advertise the commercial availability or quality of goods or services, i.e., to encourage the Golans to go see Last Ounce of Courage.

58. The Golans received two of the Huckabee calls, with language from Segment 15 of the above-noted script left on their answering machine.

59. The name that showed up on the Golans’ caller ID corresponding to 202-769-1087 was “2012FREERSRCH,” which was misleading, because these were commercial calls rather than research calls, as suggested by the use of “RSRCH.”

60. When “lastouncethemovie.com” was typed as a Uniform Resource Locator (URL) while the calls were made, the URL redirected the user to <http://www.standusa.com/last-ounce-of-courage/>, which contained a “BUY TICKETS” link, as well as an “ABOUT VERITAS” link, <http://www.standusa.com/looc-about-veritas/>.

61. Defendants acted willfully or knowingly, or both, in calling the Golans using a misleadingly referenced telephone number and in trying to couch their commercial calls in terms of a survey in an apparent attempt to avoid complying with the TCPA and Missouri’s Do Not Call Law, but they violated Section 227(b)(1)(B) and Missouri’s Do Not Call Law.

62. After the Huckabee calls to 4 million homes were made, ccAdvertising created a "Survey Questionnaire" in which it identified one purpose for the "survey" as being "to identify respondents . . . who are interested in hearing more information about the movie 'Last Ounce of Courage.'" A true and accurate of the "Survey Questionnaire" is attached as **Exhibit 2**.

63. According to ccAdvertising's "Survey Questionnaire," "1,018,609 live responses were detected" and regardless of whether recipients of the calls answered yes or no to Questions 1 and 2 in the script, so long as they did not hang up, they were subjected to Question 3 in which Huckabee recommended that the recipients see Last Ounce of Courage.

64. Joseph and ccAdvertising obtained the telephone numbers called from a database purchased at least a decade ago from Axiom Corporation, which provided White Pages data in digital format.

65. None of the persons called (other than Defendants) had indicated to any defendant (or anyone else) a desire to receive telephone calls promoting Last Ounce of Courage.

CLASS ALLEGATIONS AND DEFINITIONS

66. This action is brought by the Golans, on behalf of themselves and all other similarly situated.

67. The proposed Class that the Golans seek to represent is as follows:

All persons within the United States to whom Defendants (or some person on Defendants' behalf), within four years of October 3, 2012, initiated one or more telephone calls to such persons' residential telephone lines using the recorded voice of Mike Huckabee to deliver a message as part of the above-mentioned campaign regarding the movie Last Ounce of Courage.

68. Within the Class is the following Sub-Class:

All Missouri residential subscribers registered on Missouri's No Call List who received, within any twelve-month period after January 1, 2012, more than one "telephone solicitation" (as defined by Missouri Revised Statutes § 407.1095(3)) by or on behalf of Defendants, using the recorded voice of Mike Huckabee as part of a campaign promoting Last Ounce of Courage.

69. Excluded from the Class and Sub-Class are Defendants, their employees, officers, directors, and all persons who have or had a controlling interest in Defendants; Defendants' legal representatives, predecessors, successors and assigns; the judge to whom this case is assigned and such judge's immediate family; the Golans' attorneys, attorneys' family members, and attorneys' employees; and all persons who properly opt out from the Class.

70. Numerosity and Impracticability of Joinder: Millions of calls were initiated in the telephone campaign for Last Ounce of Courage and at least hundreds were made to Missouri residential telephone numbers; thus, the members of the Class and Sub-Class are so numerous that the joinder of all members would be impracticable.

71. Commonality and Predominance: There is a well-defined commonality of interest and common questions of law and fact that predominate over any questions affecting individual members of the Class and Subclass, including, but not limited to, the following:

- a. whether Defendants initiated telephone calls using an artificial or prerecorded voice to deliver a message to residential telephone lines;
- b. whether Defendants calls were made for commercial purposes;
- c. whether Defendants' calls constituted an "unsolicited advertisement" under the TCPA;
- d. whether Defendants willfully or knowingly violated the TCPA;
- e. whether Defendants knowingly violated Missouri's Do Not Call Law;
- f. whether Defendants' calls constituted a "telephone solicitation" under Missouri's Do Not Call Law and the TCPA;
- f. whether the Golans and the Class and Subclass are entitled to damages, and, if so, how much; and
- g. whether the Golans and the Class and Subclass are entitled to injunctive relief.

72. Typicality: The Golans' claims are typical of the Class and Subclass in that the Golans and the Class and Subclass all suffered damages as a direct and proximate result of the same wrongful practices and conduct of Defendants.

73. The Golans' claims are based upon the same legal theories and statutes as the claims of the Class and Subclass.

74. Adequacy: The Golans will fully and adequately protect the interests of the members of the Class and Subclass, do not have interests which

are contrary to, or conflicting with, those interests for the Class and Subclass, and have retained experienced and qualified counsel.

75. Superiority: A class action is superior to other available methods for the fair and efficient adjudication of this controversy, because, *inter alia*, it is economically impracticable for members of the Class and Subclass to prosecute individual actions, the Class and Subclass are readily definable, prosecution as a class action will eliminate the possibility of repetitious and redundant litigation, prosecution as a class action will eliminate the possibility of inconsistent rulings, and a class action will enable orderly and expeditious handling of the claims.

76. The Golans will assert and pursue the same claims as the Class and Subclass members.

77. The Golans, having already answered discovery and been deposed, are committed to the vigorous prosecution of this action and have retained competent and experienced counsel.

78. Class certification is appropriate, because prosecution of separate actions by individual class members would create a risk of inconsistent and varying adjudications as to individual members of the Class and Subclass, which would establish incompatible standards of conduct required of Defendants.

79. Class certification is appropriate, because Defendants have acted on grounds generally applicable to the Class and Subclass, thereby making appropriate final injunctive relief or corresponding declaratory relief with respect to the Class and Subclass as respective wholes.

80. A class action is an appropriate and a superior method for the fair and efficient adjudication of the present controversy insofar as common questions of law and/or fact predominate over any individual questions which may arise, and there would be significant savings to the Class and Subclass and to Defendants in litigating common issues on a class-wide basis.

81. No unusual difficulties are likely to be encountered in the management of the case on a class basis.

82. As a result of Defendants' violations of the TCPA, the Golans and the Class are entitled to an award of \$500 in statutory damages for each call placed in violation of the statute, pursuant to 47 U.S.C. § 227(b)(3)(B).

83. As a result of Defendants' violations of the TCPA, under 47 U.S.C. § 227(b)(3), the Golans and the Class are entitled to injunctive relief prohibiting Defendants and their contractors, agents, and employees from violating the TCPA in the future.

84. Because Defendants willfully or knowingly violated the TCPA or the regulations prescribed under the TCPA, the Golans and the Class are entitled to treble damages of \$1,500 for each call in violation of the statute, pursuant to 47 U.S.C. § 227(b)(3).

WHEREFORE, the Golans request that the Court enter judgment in their favor and against Defendants and provide the following relief:

- a. certify this action as a class action and appoint the Golans as Class representatives;
- b. appoint the undersigned counsel as Class counsel;

- c. award damages of \$500 per call pursuant to 47 U.S.C. § 227(b)(3)(B);
- d. award treble damages up to \$1,500 pursuant to 47 U.S.C. § 227(b)(3);
- e. enjoin Defendants and their contractors, agents, and employees from continuing making TCPA-violating calls;
- f. award class counsel reasonable attorneys' fees and all expenses of this action and require Defendants to pay the costs and expenses of class notice and claim administration;
- g. award the Golans an incentive award based upon their time expended on behalf of the Class and other relevant factors;
- h. award the Golans costs; and
- i. grant the Golans all other relief deemed just and proper.

COUNT II—MISSOURI NO CALL LIST

85. The Golans incorporate by reference their allegation in Paragraphs 1 through 84 above.

86. Ron Golan is a “[r]esidential subscriber,” as defined in Missouri Revised Statutes § 407.1095(2), because he is a person who, for primarily personal and familial use, has subscribed to residential telephone service for the residential telephone number 636-812-2121 and because he lives and resides with Dorit Golan, who is a residential subscriber for 636-812-2121.

87. Dorit Golan is a “[r]esidential subscriber,” as defined in Section 407.1095(2), because she is a person who, for primarily personal and familial use, has subscribed to residential telephone service for the residential telephone number 636-812-2121 and because she lives and resides with Ron Golan, who is a residential subscriber for 636-812-2121.

88. Missouri Revised Statutes § 407.1098.1 states, “No person or entity shall make or cause to be made any telephone solicitation to the telephone line of

any residential subscriber in this state who has given notice to the attorney general, in accordance with rules promulgated pursuant to section 407.1101 of such subscriber's objection to receiving telephone solicitations."

89. The two above-noted calls to the Golans' residential telephone number were telephone solicitations under Section 407.1095(3), because the communications were for the purpose of encouraging the purchase of property, goods or services, i.e., tickets to Last Ounce of Courage, and none of the exemptions identified in Section 407.1095(3)(a)-(e) apply, i.e., (a) the Golans had not given prior express invitation or permission for such calls, (b) the calls were not by or on behalf of any person or entity with whom the Golans had had a business contact within the past 180 days before the dates of such calls or a then-current business or personal relationship, (c) the calls were not by or on behalf of an entity organized pursuant to Chapter 501(c)(3) of the United States Internal Revenue Code, while such entity was engaged in fund-raising to support the charitable purpose, (d) the calls were not by or on behalf of any entity over which a federal agency has regulatory authority to the extent that subject to such authority, the entity is required to maintain a license, permit or certificate to sell or provide the merchandise being offered through telemarketing and the entity is required by law or rule to develop and maintain a no-call list, and (d) the calls were not by a natural person responding to a referral, or working from his or her primary residence, or a person licensed by the state of Missouri to carry out a trade, occupation or profession who was setting or attempting to set an appointment for actions relating to that licensed trade, occupation or profession within Missouri or counties contiguous to Missouri.

90. The Golans registered their residential telephone number, 636-812-2121, on Missouri's No Call List on or before January 10, 2010, under the rules promulgated by the Missouri Attorney General in 15 CSR 60-13.020 ("Methods by Which Residential Subscribers May Give Notice of Objection to Receiving Telephone Solicitations.").

91. Upon information and belief, even though they knew about the laws regulating telemarketing generally, including Missouri's Do Not Call Law, Defendants took no steps to attempt to comply with Missouri's Do Not Call Law.

92. As a result of Defendants' violations of Missouri's Do Not Call Law, the Golans and the Subclass are entitled to an award of up to \$5,000 in statutory damages for each violation of Missouri's Do Not Call Law under Section 407.1107.3(2) and (3).

93. As a result of Defendants' violations of Missouri's Do Not Call Law, the Golans and the Subclass are entitled to enjoin Defendants' violation of Section 407.1098.

WHEREFORE, the Golans request that the Court enter judgment in their favor and against Defendants in this count and provide the following relief:

- a. certify this action as a class action and appoint the Golans as representatives of the Subclass;
- b. appoint the undersigned counsel for the Class and Subclass;
- c. award damages of up to \$5,000 per violation pursuant to Mo. Rev. Stat. § 407.1107.3(2), (3);
- d. enjoin Defendants' violation of Mo. Rev. Stat. § 407.1098;
- e. award class counsel reasonable attorneys' fees and all expenses of this action and require Defendants to pay the costs and expenses of class notice and claim administration;

- f. award the Golans an incentive award based upon their time expended on behalf of the Class and Subclass and other relevant factors;
- g. award the Golans costs; and
- h. grant the Golans all other relief deemed just and proper.

SCHULTZ & ASSOCIATES LLP

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Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the above and foregoing was served this 4th day of December, 2013, by U.S. Mail to the following:

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Molly T. Cusson
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*Attorney for Veritas Entertainment, LLC,
and Veritas Marketing Group, LLC*

Ronald J. Eisenberg

ccAdvertisingConstituent Research & Data Acquisition
5900 Fort Drive • Suite 302 • Centreville, VA 20121

Date	Invoice #
9/5/2012	4065

Bill To

Veritas Entertainment
Attn: Steve Griffin
830 Crescent Centre Drive
Suite 140
Franklin, TN 37067

P.O. No.	Terms	CID
	Due on receipt	

Quantity	Description	Rate	Amount
	Artificial Intelligence Call Survey; Last Ounce of Courage Campaign Universe Targeted: 4,000,000 Homes	248,500.00	248,500.00
	Email to Text (ETT) Messages Last Ounce of Courage Campaign Universe Targeted: 30,000,000 Cell Phones	30,000.00	30,000.00
	<p>* ccAdvertising will make all reasonable attempts to ensure delivery of a message to mobile phone providers but cannot guarantee the delivery due to factors beyond its control, including, but not limited to, mobile network congestion, local number portability, SPAM filtering, and end-user text messaging blocks. These failed messages may or may not appear as "bounced" messages in the return e-mail inbox. For more information, please contact ccAdvertising.</p> <p>Receipt of Wire Transfer on September 7, 2012 of \$100,000.00 Receipt of Wire Transfer on September 14, 2012 of \$100,000.00</p> <p>Invoice Total: \$78,500.00 Payment Terms: Due on Receipt</p>		
REVISED to reflect amended universe.		Total	\$278,500.00
		Balance Due	\$78,500.00

Ex. 1

CONFIDENTIAL

ccAdvertising000325

Huckabee - Last Ounce of Courage - Survey - 1
September 9th - 15th, 2012
4,000,000 homes per ccAdvertising database

Survey Questionnaire
Page 1-1

Brief Overview:

This survey was conducted to 4,000,000 homes in United States per the ccAdvertising database. The purpose of this survey was to identify those respondents who believe in American freedom and liberty and who are interested in hearing more information about the movie "Last Ounce of Courage."

Summary Respondents:

- 82% of all respondents believe in American freedom and liberty (295,420 people).
- 80% of all respondents feel that in the last 10 years Americans have lost some of their rights and religious freedom (194,711 people).
- 71% of all respondents would like to hear more about the movie "Last Ounce of Courage" (139,827 people) and of those respondents, 7% would like to hear that information again (8,760 people).
- 28% of all respondents have a smart phone (43,976 people).
- 47% of all respondents give their permission to have someone contact them in the future concerning movies, radio and TV programming and special offers (61,363 people).
- 26% of all respondents use Facebook (35,262 people).
- 96% of all respondents are 18 years of age or older (117,930 people).

Response Rate:

This survey had a completion rate of 75.14%. This means that a live voice was detected (40.94% including hang-ups) or an answering device (34.20%) in 75.14% of all the homes targeted.

Below are the results from this survey:

1. 1,018,609 live responses were detected. This is 26.12% of all targeted households. This means that each of these households heard at least 10 seconds of the survey.
2. 379,082 live respondents answered one or more questions. This is 9.72% of all households and 37.22% of all live respondents.
3. 122,660 live respondents completed the entire survey. This is 3.14% of all households and 12.04% of all live respondents.

Huckabee - Last Ounce of Courage - Survey - 1
September 9th - 15th, 2012
4,000,000 homes per ccAdvertising database

Survey Questionnaire
Page 1-2

Survey Questions:

1. Believe In American Freedom?

HELLO THIS IS GOVERNOR MIKE HUCKABEE, WITH A 45-SECOND SURVEY. DO YOU BELIEVE IN AMERICAN FREEDOM AND LIBERTY? (379,082 plays) (NOTE: ALL RESPONSES GO TO QUESTION 2)

Yes.....82.23%
No.....17.77%

2. Lost Some of our Rights and Religious Freedoms?

THIS SURVEY IS ABOUT AMERICAN FREEDOM AND LIBERTY. EVERY WEEKDAY, I AM ON THE RADIO TALKING ABOUT LIBERTY, FREEDOM AND VALUES. I INVITE YOU TO LISTEN TO THE MIKE HUCKABEE RADIO SHOW IN YOUR AREA TO HEAR MORE. ARE YOU, LIKE ME CONCERNED THAT IN THE LAST 10-YEARS AMERICANS HAVE LOST SOME OF THEIR RIGHTS AND RELIGIOUS FREEDOM? (324,164 plays) (NOTE: ALL RESPONSES GO TO QUESTION 5)

Yes.....79.59%
No.....20.41%

5. Permission to Tell More?

I AM AN ENTHUSIASTIC SUPPORTER OF A NEW MOVIE CALLED LAST OUNCE OF COURAGE. IT IS A FILM ABOUT FAITH, FREEDOM, AND TAKING A STAND FOR AMERICAN VALUES. MAY I TELL YOU MORE ABOUT WHY I RECOMMEND THAT YOU AND ALL AMERICANS SEE THE MOVIE LAST OUNCE OF COURAGE? (234,208 plays) (NOTE: ALL "YES" RESPONSES GO TO QUESTION 6 AND ALL "NO" RESPONSES GO TO QUESTION 8)

Yes.....70.70%
No.....29.30%



Huckabee - Last Ounce of Courage - Survey - 1
 September 9th - 15th, 2012
 4,000,000 homes per ccAdvertising database

Survey Questionnaire
 Page 1-3

6. Hear Information Again?

THANK YOU FOR YOUR INTEREST. LAST OUNCE OF COURAGE OPENS IN THEATERS ON FRIDAY, SEPTEMBER 14TH. LAST OUNCE OF COURAGE WILL INSPIRE YOU AND YOUR LOVED ONES TO CELEBRATE OUR NATION AND THE SACRIFICES MADE TO PROTECT OUR LIBERTIES. IT IS A GREAT STORY ABOUT TAKING A STAND FOR RELIGIOUS FREEDOM. THE FILM IS A TIMELY REMINDER OF ALL THAT IS WORTH DEFENDING IN OUR NATION. EXPERIENCE THE LAST OUNCE OF COURAGE TRAILER AND SEE AUDIENCE REACTIONS AT WWW DOT LAST OUNCE THE MOVIE DOT COM, THAT'S LAST OUNCE THE MOVIE DOT COM. WOULD YOU LIKE TO HEAR THIS INFORMATION AGAIN? (132,449 plays) (NOTE: ALL "YES" RESPONSES GO TO QUESTION 7 AND ALL OTHER RESPONSES GO TO QUESTION 8)

Yes..... 7.13%
 No.....92.87%

7. Information Again.

LAST OUNCE OF COURAGE OPENS IN THEATERS ON FRIDAY, SEPTEMBER 14TH. LAST OUNCE OF COURAGE WILL INSPIRE YOU AND YOUR LOVED ONES TO CELEBRATE OUR NATION AND THE SACRIFICES MADE TO PROTECT OUR LIBERTIES. IT IS A GREAT STORY ABOUT TAKING A STAND FOR RELIGIOUS FREEDOM. THE FILM IS A TIMELY REMINDER OF ALL THAT IS WORTH DEFENDING IN OUR NATION. EXPERIENCE THE LAST OUNCE OF COURAGE TRAILER AND SEE AUDIENCE REACTIONS AT WWW DOT LAST OUNCE THE MOVIE DOT COM, THAT'S LAST OUNCE THE MOVIE DOT COM (8,184 plays)

Play Only.....100.00%

8. Smart Phone?

THANK YOU FOR YOUR ANSWERS SO FAR. I HAVE A JUST FEW MORE QUESTIONS FOR DEMOGRAPHIC PURPOSES. DO YOU OWN A SMART PHONE? (160,697 plays) (NOTE: ALL "YES" AND "NO" RESPONSES GO TO QUESTION 9)

Yes.....28.35%
 No.....71.65%



Huckabee - Last Ounce of Courage - Survey - 1
September 9th - 15th, 2012
4,000,000 homes per ccAdvertising database

Survey Questionnaire
Page 1-4

9. Opt-In?

MAY WE HAVE YOUR PERMISSION TO REACH OUT TO YOU AGAIN CONCERNING
MOVIES, RADIO AND TELEVISION PROGRAMMING AND SPECIAL OFFERINGS
THAT WILL BE UNIQUE TO YOU AND WHAT YOU WANT? (154,794 plays) (NOTE: ALL
RESPONSES GO TO QUESTION 10)

Yes.....47.31%
No.....52.69%

10. Facebook?

DO YOU USE FACEBOOK? (154,099 plays) (NOTE: ALL RESPONSES GO TO
QUESTION 11)

Yes.....25.64%
No.....74.36%

11. 18+?

ARE YOU 18-YEARS OF AGE OR OLDER? (152,901 plays) (NOTE: ALL RESPONSES GO
TO QUESTION 12)

Yes.....96.14%
No.....3.86%



In the
CIRCUIT COURT
of St. Louis County, Missouri



For File Stamp Only

Golan
Plaintiff(s) et al
vs.
Veritas Entertainment LLC
Defendant(s) et al

November, 2013
Date
125L-CC03771
Case Number
13
Division

FILED

NOV 9 9 14 13

CLERK

Order

1. Plaintiffs granted leave to file an amended petition on or before December 4, 2013.
2. Case management conference reset for December 12, 2013, at 8:30 a.m.

SO ORDERED

[Signature]
Judge
ENTERED: 11/20/13
(Date)

[Signature] #353
Attorney Bar No

Address

Phone No. [Signature] 57826 Fax No

Attorney for Defendants (314) 719-3048 Bar No

Address

Phone No. Fax No

FILED

OCT 18 2013

JOAN M. GILMER
CLERK, ST. LOUIS COUNTY

**IN THE MISSOURI CIRCUIT COURT
FOR THE TWENTY-FIRST JUDICIAL CIRCUIT
ST. LOUIS COUNTY**

**RON GOLAN and DORIT
GOLAN,**

Plaintiffs,

v.

**VERITAS ENTERTAINMENT,
LLC, et al.,**

Defendants.

Case No. 12SL-CCo3771

Division: 13

**JOINT MOTION FOR EXTENSION OF TIME AND POSTPONEMENT OF
NOVEMBER 20 CLASS CERTIFICATION HEARING**

Plaintiffs Ron Golan and Dorit Golan and Defendants Veritas Entertainment, LLC, and Veritas Marketing Group, LLC, move for the following changes to the deadlines and dates set in the Court's October 2, 2013 Order. Good cause exists to grant the requested changes for the following reasons:

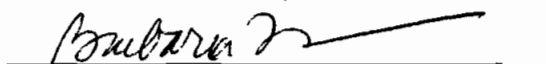
1. The parties, through counsel, recently engaged in face-to-face settlement discussions and are presently continuing such discussions.
2. To facilitate settlement, the parties request that the Court (a) extend the October 23, 2013, deadline by which Defendants must seek relief concerning the production of unredacted documents to November 1, 2013; (b) extend the deadline for Plaintiffs to amend their petition until November 12, and (c) postpone the November 20 class certification hearing, with the parties to contact the Court to obtain a new date.
3. If Defendants wish to raise any additional issue before the Court, as referenced in the October 2 Order, and if doing so delays the production of un-redacted

documents beyond November 1, the parties will cooperate as to reasonable extension of the November 12 deadline.

WHEREFORE, the parties request that this motion be granted that the Court afford them additional relief deemed proper.

Dated: October 17, 2013


SO ORDERED THIS 18 DAY OF OCTOBER, 2013


Barbara W. Wallace, Circuit Judge


10/18/13

Cause set for status conference on 11/20/13 @ 9:00am in DW-13. (Instead of class cert hearing)
BW

SCHULTZ & ASSOCIATES LLP

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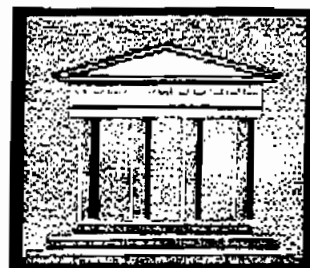
and

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Veritas Marketing Group, LLC*

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To:	Division 13	From:	Ronald J. Eisenberg
Fax:	314-615-8280	Pages:	4 (Including Cover)
Phone:	314-615-1513	Date:	October 18, 2013

Re: Ron Golan and Dorit Golan v. Veritas Entertainment LLC, et al
Case No 12SL-CC3771

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

● **Please accept Plaintiffs' Joint Motion for Extension of Time and Postponement of November 20 Class Certification Hearing.**

Thank you.

THIS FACSIMILE CONTAINS PRIVILEGED & CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THE FACSIMILE IS NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION OR COPYING OF THIS FACSIMILE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL FACSIMILE TO US AT THE ABOVE ADDRESS VIA THE UNITED STATES POSTAL SERVICE. THANK YOU.

**IN THE MISSOURI CIRCUIT COURT
FOR THE TWENTY-FIRST JUDICIAL CIRCUIT
ST. LOUIS COUNTY**

**RON GOLAN and DORIT
GOLAN,**

Plaintiffs,

V.

**VERITAS ENTERTAINMENT,
LLC, et al.,**

Defendants.

Case No. 12SL-CC03771

Division: 13

PLAINTIFFS' MOTION BY CONSENT FOR EXTENSION OF TIME

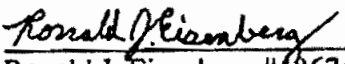
Plaintiffs Ron Golan and Dorit Golan, with consent of Defendants, request a one-week extension of time, from October 11 to October 18, 2013, in which to file an Amended Class Action Petition.

The short extension will not unduly delay the case and will allow the parties time for discussions.

WHEREFORE, Plaintiffs Ron and Dorit Golan requests that they be granted a one-week extension and request any additional relief deemed proper.

10/15/13

SCHULTZ & ASSOCIATES LLP


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rschultz@sl-lawyers.com

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

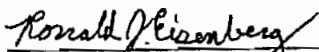
I certify that a true and correct copy of the above and foregoing was served this 11th day of October, 2013, by facsimile and email to the following:

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clubben@stinson.com

Attorney for Defendants


Ronald J. Eisenberg #48674

In the
CIRCUIT COURT
 of St. Louis County, Missouri



For Filing Only

FILED

CT 2 2013

JAN M. GILMER
 CIRCUIT CLERK, ST. LOUIS COUNTY

Golan et al

Plaintiff(s)

October 2, 2013

Date

125L-CC03771

Case Number

13

Division

vs.

Veritas et al

Defendant(s)

Order

Plaintiffs' motion to compel is granted in part and denied without prejudice in part.

1. ^{class} Defendants are ordered to produce non-telephone number documents without redaction IF Defendants have some not previously addressed concern regarding a redaction, then Defendant may bring that issue before the Court.

2. The motion for production of class telephone numbers is denied at this time and may be renewed after class certification.

3. Defendants shall produce the nonredacted documents or raise an issue before the court within 3 weeks.

4. Class certification hearing set for November 20 at 11:00 am.

Robert Schiff #35

SO ORDERED

Attorney For Plaintiffs

Bar No

Address

Phone No.

Fax No

Attorney

Bar No

Address

Phone No.

Fax No

Judge

ENTERED:

10/2/13

(Date)

Plaintiff's claim and the claims of putative class members" (Veritas Marketing's Answer to Interrogs. 22.a, 23.a, 24.a.) The Golans should be able to call the class members and obtain information from them regarding issues related to commonality, typicality, and whether the class members had given consent to being called. Defendants should also produce the phone numbers called, because, in response to an interrogatory asking for facts supporting their affirmative defense about having received express consent to receiving calls, Veritas Marketing claims, "Veritas Marketing asserts this affirmative defense to avoid waiving it, and because it does not know who the absent class members are, as it is possible that absent class members provided consent to receive the calls alleged in Plaintiffs' Petition." (Veritas Marketing's Answer to Interrog. 26.) Veritas Entertainment similarly answered the interrogatories.

Alternatively, plaintiff requests that the Court bar Defendants from raising any "established business relationship" or "prior express consent" defense. *Craftwood Lumber Co. v. Interline Brands, Inc.*, 11.cv-4462, 2013 WL 4598490 (N.D.Ill. Aug. 29, 2013) (striking affirmative defenses in TCPA case for failure to produce evidence of such in discovery). After all:

If defendant does not have documents or other information which substantiates the defense it is difficult to fathom why it interposed that defense in the first place. If defendant cannot substantiate this defense with documents or information responsive to the interrogatory, it should say so under verification and withdraw that defense.

[Class] discovery is not only relevant to the merits of BCR's affirmative defense, but it will demonstrate that each class member is like Plaintiff as to this defense.

Martin v. Bureau of Collection Recovery, LLC, 2011 WL 2311869 (N.D.Ill. June 13, 2011) (compelling production of class call and consent information in TCPA autodialer

case). This case has been pending for a year. If Defendants cannot muster documents and information in support of their defenses at this stage of the proceedings, their defenses are doomed anyway.

Moreover, Defendants unilaterally excised from the spreadsheet of call records they produced calls where the consumer heard a prerecorded message, but did not press a button. Their justification? In Defendants' view, those persons are not part of the class because they hung up before they heard any advertisement for the movie. Putting aside that a defendant does not get to choose what class of plaintiff-opponents sue it, Defendants are wrong on the merits. It is the *purpose* of the call, rather than what is said, that governs whether the call is "telemarketing" under the TCPA. *Chesbro v. Best Buy Stores, L.P.*, 705 F.3d 913 (9th Cir. 2012). And even if one purpose of the call was to do political surveys (a dubious claim, indeed), the "FCC has determined that so-called 'dual purpose' calls, those with both a customer service or informational component as well as a marketing component, are prohibited." *Id.* at 917-18.

Defendants contend that, if the Golans receive a list of the numbers called and use it to contact individuals, then they will only "harass individuals who have previously answered ccAdvertising's non-commercial political surveys." (Defs.' Resp. at 4.) Defendants' newfound desire to shield the public from harassment is perplexing, and demonstrates Defendants' failure to recognize their wrongdoing, because, as noted in the Petition, people are fed up with the Huckabee calls touting Defendants' movie, and would likely welcome a call from anyone stepping up to put an end to such calls.

“I also got the call and since I am on the do not call registry, I reported it. The call asked me to listen to Mike Huckabee’s radio show and watch some propaganda movie. I view that as commercial in nature”; “I am on the Do Not Call List and I just received the robocall from Mike Huckabee. He is no longer a political candidate and, though couched in the terms of a survey, he was trying to sell me on watching a movie.”; “This is 9/13/2012 and I have received 13 calls from this number and I won’t answer.”

(Pet. ¶ 11 (<http://whocallsme.com/Phone-Number.aspx/2027691087> (last visited Sept. 28, 2012)).) Attached hereto as **Exhibit 1** are various online complaints from persons whose TCPA rights Defendants violated.

B. Other Redacted Documents Should Be Unredacted.

Defendants state that they will produce for *in camera* inspection the documents that the Golans seek to have unredacted. *In camera* review for “responsiveness” is unnecessary, as it would unnecessarily burden the Court with paging through a large volume of documents and having to guess whether and how each of the myriad redactions might be used by the Golans, either as admissible evidence or to lead to the discovery of admissible evidence, and to assess whether the redactions identify other potential witnesses. The Court would also have to assess whether the redacted information could be used by the Golans to support their claim for treble damages due to willfulness. Defendants and ccAdvertising should simply stop hiding information.

C. Payments Documents.

Defendants and ccAdvertising should not be able to withhold documents concerning the payments made to ccAdvertising for the robocall campaign. The documents may reveal other persons or entities that contributed to the payments or played a role in making the payments. The Golans may wish to add other responsible parties to the lawsuit. In addition, the payment documents may contradict Defendants’

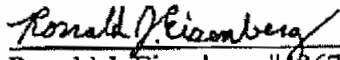
testimony about the payments. Producing the requested documents will not be burdensome.

D. ccAdvertising Failed to Oppose the Golans' Motion.

Although the Golans' motion is directed toward Defendants and ccAdvertising, ccAdvertising failed to respond to the motion. Therefore, regardless of the Court's ruling as to Defendants' discovery obligations, ccAdvertising should be ordered to produce the documents sought by the Golans.

WHEREFORE, the Golans request that the Court compel Veritas and ccAdvertising to produce immediately (1) an unredacted version of the spreadsheet already produced showing calls made in the telephone campaign, (2) a spreadsheet identifying all calls made in the telephone campaign, (3) unredacted versions of all other documents already produced, and (4) all documents regarding the payments made for the telephone campaign, plus (5) order them to confirm that they have not withheld documents or to produce a privilege log, and (6) grant any additional relief deemed just and proper, including, if necessary, extending the deadline for the Golans to amend their Petition until after they receive the new documents.

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rschultz@sl-lawyers.com

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

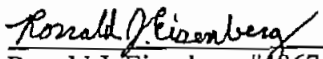
I certify that a true and correct copy of the above and foregoing was served
this 1st day of October, 2013, by facsimile and email to the following:

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800notes[sign in](#) | [register](#)**202-350-0048**

Did you get a call from 202-350-0048? Read the posts below to find out details about this number. Also [report unwanted calls](#) to help identify who is using this phone number.

202-350-0048
Country: USA
Location: District Of Columbia (Washington)

[Homepage](#)
[Forum](#)
[News](#)
[Articles](#)
[Videos](#)



Jeannette Gonzales
13 Sep 2012

0

I received a call 3 times today from this number from a recorded voice, claiming to be "Mike Huckabee" asking me to take part in a 45 second survey about "whether I valued my freedom". I hung up because I am not interested in participating and received 2 more calls from the same number. I am a registered Democrat and not interested in participating. I am home sick and was woken up twice by these phone calls

Caller: Mike Huckabee
Call Type: Political Call

Business Phone Systems

Fonality.com/Business

Phone Systems That Scale With Your Needs. Feature Rich Systems!

AdChoices

PHONE NUMBER SEARCH

Search

Type a phone number, for example, 777-777-7777

LATEST FORUM THREADS

- Call from "Unknown Name:" "Private Number"
- NOKIA UK MOBILE PROMO
- integrity payday loans
- FACEBOOK INTERNATIONAL LOTTERY
- My debt has gone to a collection agency. Can I still pay the debt off to the original company owed?

[more](#)

Reply 1



Mike C. replies to Jeannette Gonzales
13 Sep 2012

0

It is NOT a survey! It is an add for a movie and his radio show. Report him to the donotcall.gov registry!

Reply 1



Jeannette Gonzales
13 Sep 2012

0

I received a call 3 times today from this number from a recorded voice, claiming to be "Mike Huckabee" asking me to take part in a 45 second survey about "whether I valued my freedom". I hung up because I am not interested in participating and received 2 more calls from the same number. I am a registered Democrat and not interested in participating. I am home sick and was woken up twice by these phone calls

Caller: Mike Huckabee
Call Type: Political Call

Caller: Mike Huckabee
Call Type: Political Call

Reply 1

LATEST NEWS

- We Are Under DDoS
- FTC Shuts Down Robocall Scammers Pretending To Be FTC
- FTC Hangs Up On "Rachel From Cardholder Services"
- Multinational Crackdown on Computer Con Artists
- Whataburger Suing Debt Collection Company For Harassing Its Employee At Work

LATEST ARTICLES

- Frequently Asked Questions About 800notes
- 16 Ways You Can be Phone Scammed
- 9 Things To Do When Your Identity Stolen
- Harassing calls from a debt collector? Here is what you need to know
- Harassing Phone Calls: What To Do



Sabs
13 Sep 2012

0

We keep receiving phone calls from 202-350-0048, supposedly from Mike Huckabee. How can I get this calls to stop? They are very annoying

Caller: Mike Huckabee
Call Type: Political Call

Reply 1



Mike C. replies to Sabs
13 Sep 2012

0

Report him!

Reply 1

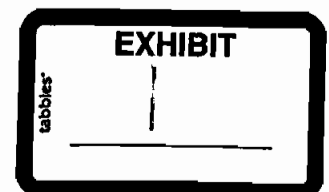


56900
13 Sep 2012

0

got call -- caller id: FREEVTRSRCH. Only message left sounded like end of a pitch. said freedom and liberty...then another voice came on and said This is a public survey call and we may call back later.

I keep getting this same call/message. Guess surveys don't have to follow do not call list

**HUCK000001**

got call -- caller id: FREEVTRSRCH Only message left sounded like end of a pitch. said freedom and liberty...then another voice came on and said This is a public survey call and we may call back later

I keep getting this same call/message. Guess surveys don't have to follow do not call list.

Collection Harassment

FdcpaLawyerOnline.com

Stop Debt Collectors-Make Them Pay. Expert FDCPA Lawyer. Call Toll-Free

AdChoices

Reply



Mike C. replies to [56900](#)
13 Sep 2012

0

No they don't! But this is not a survey! It is Mike Huckabee pitching his movie and radio show!

Reply



Penny E.
13 Sep 2012

0

Please--how do I make these stop?? Four calls today, one Mitt Romney and three Huckabees. I know that politicians exempted themselves and "charities" from the do not call lists, but surely there is a point where it becomes harassment? They have lost any consideration I may have had for voting for any of them after being tormented like this.

Call Type: Political Call

Reply



jay28 replies to [Penny E.](#)
14 Sep 2012

0

Just let them know you don't take political surveys, then hang up

Reply



Fedup
13 Sep 2012

0

Just got this call and figured it was a political call. Did not answer

Caller Unknown

Reply



jay28
14 Sep 2012

0

They called today left no message. They also called on 202-350-0048 this time on caller ID was FREEVTRSRCH, before it was FREERSEARCH, either way to me it's a scam of some kind, probably going to ask for money, this is why they don't leave a message. If I'm home and they call again I'll surely left these low life jerks all about it.

Caller: FREEVTRSRCH

Reply



jay28
14 Sep 2012

0

I also get calls with no message on my answering machine and caller ID displays Unknown name and Unknown number. Never answer these they are definitely a scam of some kind

Caller: unknown

Reply



surveywatcher
14 Sep 2012

+1

I received a call from this # and it was a political survey, however the questions turned into biased ones against the Prez with only yes/no answers possible. no NA or Don't know choice. This is a bad survey. not

LATEST VIDEOS

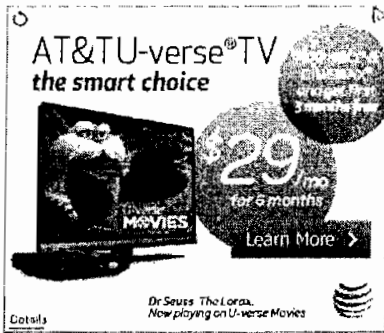
- I'm an Indian too! - Telemarketer Prank Call #12
- Game Show Loser - Telemarketer Prank Call #11
- Save The Telemarketers! - Telemarketer Prank Call #10
- Paranoid Plymouth - Telemarketer Prank Call #09
- Gambling Help Line - Telemarketer Prank Call #08

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HUCK000002

sign in | register

WhoCallsMe



202-350-0048

Got a call from 202-350-0048? [Report it](#) and help to identify who and why is calling from this number.



carol
13 Sep 2012

0

202-350-0048 at 11:39 a.m. 9/13/2012
 Caller ID as freevtrsrch
 left msg on voice mail that this is a public survey call and may call back later.
 Call Type: Survey

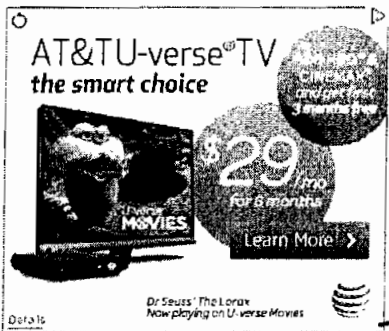
Mitt Romney-Official Site

Romney Will Repeal Obamacare as
 Quickly as Possible. Donate \$5 now
www.MittRomney.com AdChoices

Phone Number Search

Search

Type a phone number, for example: 777-777-7777



Philadelphian
13 Sep 2012

Reply 1

0

Just got a call from number (202) 350-0048 and the caller ID name attached to it is "FREEVTRSRCH." I've been obsessively been trying to call the number back with my cell phone, but blocking my number by dialing *67 and then the number.

I want to see if I can get through and see how 'they' like being pestered!

Caller: Unknown
 Call Type: Survey

Reply 1

0



Mike C.
13 Sep 2012

This is not a survey! This is an add from Mike Huckabee disguised as a survey. He asks three or four questions while plugging his radio show and a movie in between questions. If you get a call, why don't you give ol' Huckabee a call and tell him how disgusted you are that he cannot live by the laws of this great land and irritate him like he is doing you. Just google his show. and leave him a message, or if you know how to call his show, let everyone else know.

Caller: freevtrsrch
 Call Type: Telemarketer

Reply 1

0



Mike C. replies to carol
13 Sep 2012

It is a telemarketing call disguised as a survey from Mike Huckabee!

Reply 1

0



blokensgard
14 Sep 2012

I got calls from this number on my cell phone and on my home phone. On my home phone, it came thru as freevtrsrch. I went to every one of his sites and told him to stop calling. This number has been calling every day for a week. On one, a message was left saying it was a survey about us losing our freedoms. I responded that him calling me was a violation of my freedom from crap. This number is still calling. I blocked it from my cell phone.

Caller: freevtrsrch

Reply 1

0



E
14 Sep 2012

No one said anything and the hung up

Caller: Don't know

Reply 1

HUCK000014

TRANSMISSION VERIFICATION REPORT

TIME : 10/01/2013 14:13
NAME : SCHULTZ & ASSOCIATES
FAX : 6365372599
TEL : 6365374645
SER.# : BROH5J326441

DATE, TIME	10/01 14:08
FAX NO./NAME	2023448300
DURATION	00:05:24
PAGE(S)	09
RESULT	OK
MODE	STANDARD
	ECM

TRANSMISSION VERIFICATION REPORT

TIME : 10/01/2013 14:17
NAME : SCHULTZ & ASSOCIATES
FAX : 6365372599
TEL : 6365374645
SER.# : BROH5J326441

DATE, TIME	10/01 14:13
FAX NO./NAME	3148639388
DURATION	00:03:06
PAGE(S)	09
RESULT	OK
MODE	STANDARD